Appendices

Appendix FEIR-1

Draft EIR Comment Letters



Gavin Newsom Governor

May 7, 2019

STATE OF CALIFORNIA Governor's Office of Planning and Research State Clearinghouse and Planning Unit



MAY 14 2019 MAJOR PROJECTS

Kathleen King Los Angeles, City of 221 North Figueroa St, Suite 1350 Los Angeles, CA 90292

Subject: 222 West 2nd Project SCH#: 2017011062

Dear Kathleen King:

The State Clearinghouse submitted the above named EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on 5/6/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

<u>Check the CEQA database for submitted comments for use in preparing your final environmental</u> <u>document: https://ceqanet.opr.ca.gov/2017011062/2</u>. Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0513 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan Director, State Clearinghouse

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044 TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov



Department of Toxic Substances Control

Jared Blumenfeld Secretary for Environmental Protection Meredith Williams, Ph.D. Acting Director 9211 Oakdale Avenue Chatsworth, California 91311





Gavin Newsom Governor

April 12, 2019

Governor's Office of Planning & Research

APR 29 2019

STATECLEARINGHOUSE

Kathleen King Department of City Planning 221 N. Figueroa Street Suite 1350 Los Angeles, CA 90012

NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL IMPACT REPORT FOR THE 222 WEST 2ND PROJECT (PROJECT)

Dear Ms. King:

The Department of Toxic Substances Control (D) SC) has received the document for the above-mentioned project.

Based on the review of the document, the DTSC comments are as follows:

1) The document needs to identify and determine whether current or historic uses at the project site have resulted in any release of hazardous wastes/substances at the project area.

2) The document needs to identify any known or potentially contaminated site within the proposed project area. For all identified sites, the document needs to evaluate whether conditions at the site pose a threat to human health or the environment.

3) The document should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight.

4) If during construction of the project, soil contamination is suspected, construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil exists, the document should identify how any required investigation or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

Ms. Kathleen King April 12, 2019 Page 2

DTSC provides guidance for Preliminary Endangerment Assessment (PEA) preparation, and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6555 or Pete.Cooke@dtsc.ca.gov.

Sincerely,

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Pete Cooke Site Mitigation and Restoration Program - Chatsworth Office

cc: Governor's Office of Planning and Research State Clearinghouse P.O. Box 3044 Sacramento, California 95812-3044

> Dave Kereazis Hazardous Waste Management Program, Permitting Division CEQA Tracking Department of Toxic Substances Control P.O. Box 806 Sacramento, California 95812-0806

Department of Toxic Substances Control

Jared Blumenfeld Secretary for Environmental Protection Meredith Williams, Ph.D. Acting Director 9211 Oakdale Avenue Chatsworth, California 91311

April 12, 2019

Kathleen King Department of City Planning 221 N. Figueroa Street Suite 1350 Los Angeles, CA 90012

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MAJOR PROJECTS

Ms. Kathleen King April 12, 2019 Page 2

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Pete Cooke Site Mitigation and Restoration Program - Chatsworth Office

cc: Governor's Office of Planning and Research State Clearinghouse P.O. Box 3044 Sacramento, California 95812-3044

> Dave Kereazis Hazardous Waste Management Program, Permitting Division CEQA Tracking Department of Toxic Substances Control P.O. Box 806 Sacramento, California 95812-0806



Kathleen King <kathleen.king@lacity.org>

222 W. 2nd project (ENV-2016-3809-EIR) - DEIR comments

2 messages

Ling, Shine <LingS@metro.net> To: "kathleen.king@lacity.org" <kathleen.king@lacity.org> Cc: "Truong, Cassie" <TruongC@metro.net> Mon, May 6, 2019 at 3:58 PM

Dear Kathleen:

Attached please find Metro's comments on the DEIR for the project noted above. Please reply to confirm receipt and let me know if you have any questions.

Best,

Shine

Shine Ling, AICP LA Metro

Manager, Transportation Planning Transit Oriented Communities 213.922.2671 lings@metro.net

metro.net | facebook.com/losangelesmetro | @metrolosangeles Metro provides excellence in service and support.

5 attachments 190506_222 West 2nd.pdf 106K 180509_devrev_handbook.pdf 7769K 190423 Adj Constr Manual Rev 05-2018.pdf 1526K 150701 Noise Easement Deed.pdf 3370K 190125_MTA_CMP Notice.pdf 205K

Kathleen King <kathleen.king@lacity.org>

5/6/2019

To: "Ling, Shine" <LingS@metro.net> Cc: "Truong, Cassie" <TruongC@metro.net>

Thank you for your comment regarding the 222 W 2nd St Project Draft EIR. Your comment is received and included in the project file.

Thank you again,



Kathleen King Department of City Planning (213) 847-3624 221 N. Figueroa Street Suite 1350 Los Angeles, CA. 90012 [Quoted text hidden]



Kathleen King Department of City Planning (213) 847-3624 221 N. Figueroa Street Suite 1350 Los Angeles, CA. 90012 Metro

Los Angeles County Metropolitan Transportation Authority One Gateway Plaza Los Angeles, CA 90012-2952 213.922.2000 Tel metro.net

May 5, 2019

Kathleen King City of Los Angeles, Department of City Planning 221 North Figueroa Street, Suite 1350 Los Angeles, CA 90012 Sent by Email: Kathleen.king@lacity.org

RE: 222 West 2nd Project – Comments on Draft Environmental Impact Report Case No. ENV-2016-3809-EIR

Dear Ms. King:

Thank you for coordinating with the Los Angeles County Metropolitan Transportation Authority (Metro) regarding the proposed 222 West 2nd Project (Project) located at 213 South Spring Street, 200-210 South Broadway and 232-238 West 2nd Street in the City of Los Angeles (City). Metro provided comments on the Notice of Preparation for the Environmental Impact Report (EIR) in March 2017). Metro is committed to working with local municipalities, developers, and other stakeholders across Los Angeles County on transit-supportive developments to grow ridership, reduce driving, and promote walkable neighborhoods. Given the Project's proximity to Metro facilities, Metro has and been coordinating closely with the Applicant and will continue to do so moving forward.

The purpose of this letter is to outline recommendations from Metro concerning issues that are germane to our agency's statutory responsibility in relation to Metro rail and bus facilities and services, which may be affected by the proposed Project. In addition to the specific comments outlined below, Metro would like to provide the Applicant with two resources: 1) the Metro Adjacent Development Handbook (attached), which provides an overview of common concerns for development adjacent to Metro-owned right-of-way (ROW) and 2) the Adjacent Construction Manual with technical information (also attached). These documents and additional resources are available at www.metro.net/projects/devreview/.

Project Description

The Project involves the development of a 30-story mixed-use building consisting of 107 residential units (137,347 square feet), 7,200 square feet of ground level commercial uses, and 534,044 square feet of office uses. The Project site is positioned above the Metro Regional Connector Historic Broadway rail station (formerly 2nd/Broadway station) with a station portal entrance located at the northwest corner of the site at 2nd Street and Broadway (under construction). Overall, the Project (including the future Metro Rail portal) would comprise a total of 688,401 square feet of floor area and would replace a former surface parking lot located on the northern portion of the Project site. An existing five-story parking structure is located on the southern portion of the Project site and would provide automobile and long-term bicycle parking for the Project.

222 West 2nd Project Notice of Completion of the DEIR – Metro Comments May 5, 2019

Comments

Regional Connector Adjacency

It is noted that the Project site is in close proximity to the Metro Regional Connector subway tunnels and partially overlaps the Historic Broadway subway station. The tunnels and station are currently being constructed by Metro's contractor, Regional Connector Constructors (RCC), in coordination with the Applicant. While Metro strongly supports development near transit connections, the following concerns related to the Project's proximity to the subway tunnels and station should be addressed:

- Legal Agreements: Metro and the Project Sponsor have executed those certain agreements listed here, in order to, among other things, facilitate the construction of the subway station and tunnels: Acquisition Agreement Regarding 2nd/Broadway Station Portal dated May 29, 2014, as amended; Construction Agreement and Right of Entry for Construction Purposes dated February 27, 2015, as amended; and Grant Deed recorded March 3, 2015 as Instrument No. 20150227042, as amended (collectively, as amended, the "Agreements"). Metro continues to coordinate with the Project Sponsor pursuant to these Agreements and expects that the Project Sponsor will continue to comply with the terms and conditions of these Agreements.
- 2. <u>Rail Operations</u>: The Metro Regional Connector subway may operate peak service as often as every 2.5 minutes in both directions and that trains may operate, in and out of revenue service, 24 hours a day, seven days a week, in the station and tunnels below and adjacent to the proposed Project. The construction and operation of the proposed Project must not disrupt the operation and maintenance activities of the Metro Regional Connector Line or the structural and systems integrity of Metro's subway tunnels or station facilities. Metro Regional Connector Project Engineering should be contacted regarding the Project's potential impacts on the subway station structures and tunnels. The Regional Connector Project Engineering can be reached at 213.893.7163 or by email at HarringtonM@metro.net.
- 3. <u>Station Portal:</u> Access to the station entry portal and the Metro station identifier shall not be obstructed or be in competition with vendor kiosks, advertising displays, pop-up stores, trees, landscaping or other such elements. Given the proposed location of the northwest most column on the plaza as well as the prominence of the new building's structure and height above the entry portal and plaza area, it will be necessary to relocate the Metro station identifier closer to the edge of the property line at 2nd Street and North Broadway on the Historic Broadway Station construction drawings with accompanying electric connection.
- 4. <u>Technical Review</u>: Prior to building permit approval, Metro needs to review engineering drawings and calculations, as well as construction work plans and methods, including any crane placement and radius, to evaluate any impacts to Metro's structures in relationship to the proposed Project. To ensure adjacency compatibility, the Applicant needs to submit design drawings in different stages of the project to Metro for review and approval. Please refer to the Adjacent Construction Design Manual for more details regarding submitting drawings and calculations to Metro for review. Note that Metro requires an <u>Engineering Review Fee</u> for staff review time.
- 5. <u>Construction Monitoring</u>: Metro staff shall be permitted to monitor construction activity to ascertain any impact to the subway tunnels and station facilities. The Applicant should be advised that Metro may request reimbursement for costs incurred as a result of Project construction/operation issues that cause delay or harm to Metro service delivery or infrastructure. The Applicant will be required to notify Metro of any changes to the construction/ building plans that may or may not impact the subway tunnel and station facilities.

- 6. <u>ROW Entry Permit</u>: For temporary or ongoing access to the Metro ROW for demolition, construction, and/or maintenance activities, the Applicant must complete Metro's Track Allocation process and obtains a Right of Entry Permit. Prior to the start of construction, the Applicant will be required to meet with Metro staff to coordinate a pre-construction meeting. Please schedule the meeting with Derek R. Hull, Principal Real Estate Officer at 213-922-3051 or by e-mail at <u>hulld@metro.net</u>. Approval for single tracking or a power shutdown, while possible, is highly discouraged and must be obtained at least two months prior to the start of construction. Approval for special operations, including the use of a pile driver or any other equipment that could come in close proximity or encroach on the tunnels or related structures must be obtained at least one month prior to the start of construction. The Applicant would bear <u>all costs associated with any closures</u>. Contact: F. Andres Di Zitti, Rail Operations Manager at <u>dizittif@metro.net</u> or the On-Duty Rail Operations Control Center Floor Manager at 323-563-5022 for Track Allocation coordination and Derek R. Hull, Principal Real Estate Officer for the Right of Entry Permit at 213-922-3051 or at <u>hulld@metro.net</u>.
- 7. <u>Noise & Vibration</u>: Considering the proximity of the proposed Project to the subway tunnel, it is expected that rail operations may produce noise and vibration. A recorded Noise Easement Deed in favor of Metro is required prior to the completion and/or occupancy of the Project (see attached). Any noise mitigation required for the Project must be borne by the Applicant and not Metro. The easement recorded in the Deed will extend to successors and tenants as well.

Bus Stop Adjacency

- <u>Service</u>: Several Metro bus lines operate on S. Spring Street, W. 2nd Street, and S. Broadway Street, adjacent to the proposed Project. One Metro bus stop, on S. Spring Street between 2nd and 3rd Streets, is directly adjacent to the proposed Project. Other transit operators may provide service in this area and should be consulted. The topics below discuss issues of concern for Metro Bus service and recommend best practice measures that should be incorporated into the Project to the fullest extent feasible.
- 2. <u>Driveways</u>: Driveways accessing parking and loading at the Project site should be located away from transit stops and be designed and configured to avoid potential conflicts with on-street transit services and pedestrian traffic to the greatest degree possible. Vehicular driveways should not be located in or directly adjacent to areas that are likely to be used as waiting areas for transit.
- 3. <u>Transit Connections:</u> Given the Project's proximity to Metro bus stops and rail station, the Project design should consider and accommodate transfer activity between bus and rail lines that will occur along the sidewalks and public spaces. Metro recently completed the Metro Transfers Design Guide, a best practice document on transit improvements. This can be accessed online at https://www.metro.net/projects/systemwidedesign.
- 4. <u>Bus Stop Access & Enhancements</u>: Metro encourages the installation of bus shelters with benches, wayfinding signage, enhanced crosswalks and ramps compliant with the Americans with Disabilities Act (ADA), as well as pedestrian lighting and shade trees in paths of travel to access bus stops and other amenities that improve safety and comfort for transit riders. The City should consider requesting the installation of such amenities as part of the development of the site.

- 5. <u>Final Bus Stop Condition</u>: The existing Metro bus stops must be maintained as part of the final Project. During construction, the stops must be maintained or relocated consistent with the needs of Metro Bus operations. Final design of the bus stop and surrounding sidewalk area must be ADA-compliant and allow passengers with disabilities a clear path of travel to the bus stop from the proposed development.
- 6. <u>Bus Operations Contacts</u>: Please contact Metro Bus Operations Control Special Events Coordinator at 213-922-4632 and Metro's Stops and Zones Department at 213-922-5190 with any questions and at least 30 days in advance of initiating construction activities. Other municipal buses may also be impacted and should be included in construction outreach efforts.

Transit Oriented Development

Considering the proximity of the Project to the future Regional Connector Historic Broadway station and numerous Metro bus lines, Metro would like to identify the potential synergies associated with transit-oriented development:

- 1. <u>Land Use</u>: Metro supports development of commercial and residential properties near transit stations and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of developments. Metro encourages the City and Applicant to be mindful of the Project's proximity to the future Regional Connector Historic Broadway station, including orienting pedestrian pathways towards the station.
- 2. <u>Walkability</u>: Metro strongly encourages the installation of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities along all public street frontages of the development site to improve pedestrian safety and comfort to access the nearby bus stops and subway station. The City should consider requiring the installation of such amenities as part of the conditions of approval for the Project.
- 3. <u>Access</u>: The Project should address first-last mile connections to transit, encouraging development that is transit accessible with bicycle and pedestrian-oriented street design connecting transportation with housing and employment centers. For reference, please view the First Last Mile Strategic Plan, authored by Metro and the Southern California Association of Governments (SCAG), available on-line at: http://media.metro.net/docs/sustainability_path_design_guidelines.pdf
- 4. <u>Active Transportation</u>: Metro encourages the City to work with the Applicant to promote bicycle use through adequate short-term bicycle parking, such as ground-level bicycle racks, as well as secure and enclosed long-term bicycle parking, such as bike lockers or a secured bike room, for guests, employees, and residents. Bicycle parking facilities should be designed with best practices in mind, including: highly visible siting, effective surveillance, easy to locate, and equipment installed with preferred spacing dimensions, so they can be conveniently accessed. The Applicant should coordinate with the Metro Bike Share Program for a potential Bike Share station at this development. Additionally, the Applicant should help facilitate safe and convenient connections for pedestrians, people riding bikes, and transit users to/from the Project site and nearby destinations, such as the Grand Central Market, Grand Park, and the

Broad.

- <u>Wayfinding</u>: The Project is also encouraged to support these connections with wayfinding signage inclusive of all modes of transportation. Any temporary or permanent wayfinding signage with content referencing Metro services, or featuring the Metro brand and/or associated graphics (such as bus or rail pictograms) requires review and approval by Metro Art & Design. Please contact Lance Glover, Senior Manager of Signage and Environmental Graphic Design, at <u>GloverL@metro.net</u>.
- 6. <u>Art:</u> Metro Art & Design encourages the thoughtful integration of art and culture into public spaces and will need to review any proposals for public art and/or placemaking in proximity to the Metro station entrance. Please contact Susan Gray, Director of Public Arts and Design at <u>GrayS@metro.net</u>.
- 7. <u>Multi-modal Connections</u>: With an anticipated increase in traffic, Metro encourages an analysis of impacts on non-motorized transportation modes and consideration of improved non-motorized access to the Project and nearby transit services, including pedestrian connections and bike lanes/paths. Appropriate analyses could include multi-modal LOS calculations, pedestrian audits, etc.
- 8. <u>Parking</u>: Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies such as the reduction or removal of minimum parking requirements for specific areas and the exploration of shared parking opportunities. These strategies could be pursued to reduce automobile-orientation in design and travel demand.
- <u>Transit Pass</u>: Metro would like to inform the Applicant of Metro's employer transit pass programs including the Annual Transit Access Pass (A-TAP) and Business Transit Access Pass (B-TAP) programs which offer efficiencies and group rates that businesses can offer employees as an incentive to utilize public transit. For more information on these programs, contact Devon Deming at <u>DemingD@metro.net</u>.

Congestion Management Program

Beyond impacts to Metro facilities and operations, Metro must also notify the Applicant of state requirements. A Transportation Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County," Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

- 1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed Project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic).
- 2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed Project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.

222 West 2nd Project Notice of Completion of the DEIR – Metro Comments May 5, 2019

- 3. Mainline freeway-monitoring locations where the Project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.
- 4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

If you have any questions regarding this response, please contact me by phone at 213-922-2671, by email at LingS@metro.net, or by mail at the following address:

Metro Development Review One Gateway Plaza MS 99-22-1 Los Angeles, CA 90012-2952

Sincerely,

Shine Ling, AICP Manager, Transit Oriented Communities

Cc: Carl Cade, Tribune Media, <u>ccade@tribunemedia.com</u> Winston Stromberg, Latham & Watkins LLP, <u>winston.stromberg@lw.com</u>

Attachments and links:

- Adjacent Construction Design Manual
- Adjacent Development Handbook: <u>https://www.metro.net/projects/devreview/</u>
- CMP Appendix D: Guidelines for CMP Transportation Impact Analysis
- Noise Easement Deed

			SE	BCN# : 2018-05
			Γ	DATE: 11/02/18
SYSTEMWIDE BAS	ELINE		Requested	by: C. Remley
CHANGE NOTICE	E (SBCN)			
DOCUMENT/TITLE/NUMBER/REVISION	1:			
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CHANGE IMPACT ASSESSME	NT SUMMARY: (Att	ach written explan	ation of impacts identified)
SCHEDULE ISSUES?: N ROM (RANGE): NO COST TIME IMPACT: N/A CAL DAYS N/A	OTHER DOCUMENT DESIGN ISSUES?: SAFETY ISSUES?: THIRD PARTY?:	REVISIONS REQ N N N	UIRED?: COST RECOVERY POT OTHER CONTRACTS/P	ENTIAL: N ROJECTS?: N/A
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METROMTA DESIGN CRITERIA AND STANDARDS

ADJACENT CONSTRUCTION DESIGN MANUAL

Adjacent Construction Design Manual

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EXHIBIT A - SHAFT PROTECTION DURING DEMOLITION

ADJACENT CONSTRUCTION DESIGN MANUAL

1.0 INTRODUCTION

1.1 Parties planning construction over, under or adjacent to Metropolitan Transportation Authority (MTAMetro) facilities or structures are requiredare advised to submit for review two (2) hard copies and one (1) electronic copy of their design drawings and calculations showing the relationship between their project and the MTAexisting Metro facilities, for MTAMetro review. The purpose of the MTAMetro review is to reduce the chance of conflict, damage, and unnecessary remedial measures for both MTAMetro and the parties. Parties are defined as developers, agencies, municipalities, property owners or similar organizations proposing to perform or sponsor construction work near MTAMetro facilities. Each project will be reviewed on a case-by-case basis. This includes any proposed physical attachments including but not limited to pedestrian entrances or access points to existing Metro facilities as well as new construction which falls within the zone of geotechnical influence for existing Metro facilities.

The Metro adjacent construction review is not a permit for construction. Parties shall obtain building construction permits and approval from the Authority having jurisdiction.

- 1.2 Sufficient drawings and details shall be submitted at each level of completion such as Preliminary, In-Progress, Pre-final and Final (Approved for Construction), etc. to facilitate Metrothe review for potential of the effects that the proposed developmentproject may poseer may not have on to the existing MTAMetro facilities. An MTAMetro review requires internal circulation of the construction drawings to concerned departments for MTA an inter-departmentals review. The partyParties planning construction shall be responsible for all costs related to MTAMetro adjacent development reviews. MTAMetro costs shall beare based upon the actual hours taken for review at the hourly rate of pay, plus overhead charges. DocumentsDrawings normally typically required for review are:
 - A. Site Plan
 - B. Drainage Area Maps and Drainage Calculations
 - C. Architectural drawings
 - D. Structural drawings and calculations
 - E. Civil Drawings
 - F. Utility Drawings
 - G. Sections showing Foundations and MTAMetro Structures
 - H. Column Load Tables
 - HI. Pertinent Drawings and calculations detailing an impact on MTAMetro facilities
 - IJ. A copy of the Geotechnical Report.
 - JK. Construction zone traffic safety and detour plans: Provide and regulate positive traffic guidance and definition for vehicular and pedestrian traffic adjacent to the construction site to ensure traffic safety and reduce adverse traffic circulation impact.

KL. Drawings and calculations shall should be sent to: Metro Development Review:

Email:	<u>devreview@metro.net</u>	
Phone:	(213) 418-3484	
Web:	www.metro.net/projects/devreview/	
Address:	One Gateway Plaza Los Angeles, California 90012	

MTA Third Party Administration (Permits Administration) Los Angeles County Metropolitan Transportation Authority One Gateway Plaza Los Angeles, California 90012

- 1.3 If uncertainty exists on the possible impacts a project may have on the MTAMetro facilities, and before submitting a formal letter requesting a review of a construction project adjacent to the Metro System, the party or his agent-may contact Metrothe-MTA Third Party Administrator (Permits). The Party shall review the complexity of the project, and contact MTA to receive an informal evaluation of the amount of detail required for the MTAMetro review. In those cases, whereby it appears the project will-present no risk to MTA, the Third Party Administrator (Permits) shall immediately route the design documents to Engineering, Construction, Operations, Maintenance, and Real Estate departments for a preliminary evaluation. If it is determined then confirmed that the existing Metro MTA structures are not at risk from the proposed development, is not present, Metro will the Administrator shall process an approval for the Party's project. letter to the party.
- 1.4 A period of 2130 calendarworking days should be allowed for review of the drawings and calculations. Thirty (30) work 21 calendar days should be allowed for each successive review as required. It is noted that preliminary evaluations are usually produced within 5 working days.
- 1.5 The party shall reimburse the MTAMetro for any technical review or support services costs incurred that are associated with his/her request for access to the Metro Transit System.
- 1.6 The following items must be completed before starting any construction:
 - A. Each part of the project's design may be reviewed and approved by the MTAMetro. The prime concern of the MTAMetro is to determine the effect of the proposed project on the MTAMetro existing structure(s) and its transit operations. Other considerations include, A few of the other parts of a project to be considered are overhead protection, dust protection, dewatering, and temporary use of public space(s) for construction activities.
 - B. Once the Party has received written acceptance of the design of a given project, then the Party must notify MTAMetro prior to the start of construction, in accordance with the terms of acceptance.
- 1.7 **Submitted Documentation Requirements:** Qualified Seismic, Structural and Geotechnical Oversight

Documents submitted for Metro review shall be signed and sealed by the California licensed design professional responsible for their production.

The design documents shall note the name of the responsible Structural Engineer and Geotechnical Engineer, licensed in the State of California.

2.0 REVIEW PROCEDURE

- 2.1 All portions of any proposed design that will have a direct impact on an MTAMetro facility or structure will be reviewed to assure that the MTAMetro facility or structure is not placed in risk at any time, and that the design meets all applicable codes and criteria. Any portion of the proposed design that is to form part of an MTAMetro controlled area shall be designed to meet the MTAMetro Design Criteria and Standards.
- 2.2 Permits, where required by the local jurisdiction, shall be the responsibility of the party. City of L.A. Dept. of Bldg. and Safety and the Bureau of Engineering permit-review shall remain in effect. Party shall refer to MTA Third Party Administration-policies and procedures, THD5 for additional information.
- 2.3 Monitoring of the temporary support of excavation structures for adjacent construction shall be required in all cases for excavations within the geotechnical zone of influence of MTAMetro structures. The extent of the monitoring will vary from case to case.
- 2.4 Monitoring of the inside of MTAMetro tunnels and structures shall be required when the adjacent excavation will unload or load the MTAMetro structure or tunnel. Monitoring of vertical and horizontal distortions maywill include use of extensometers, inclinometers, settlement reference points, tiltmeters, groundwater observation wells, tape extensometer anchor points and load cells, as determined by Metro.appropriately required. Acceptable limits of movement will depend on groundwater conditions, soil types and also the length of service the stations and tunnels have gone through. Escorts will be required for the survey parties entering the Metro operating system in accordance with MTA-Metro Operating Rules and Procedures. A MTAMetro account number will be established and the costs for the escort monitoring and surveying service will be billed directly to the party planning construction or his/her agent as in section 1.2.
- 2.5 The calculations submitted for review shall include the following:
 - A. A concise statement of the problem and the purpose of the calculation.
 - B. Input data, applicable criteria, clearly stated assumptions and justifying rationale.
 - C. References to articles, manuals and source material shall be furnished with the calculations.
 - D. Reference to pertinent codes and standards.
 - E. Sufficient sketches or drawing references for the work to be easily understood by an independent reviewer. Diagrams indicating data (such as loads and dimensions) shall be included along with adequate sketches of all details not considered standard by MetroMTA.
 - F. The source or derivation of all equations shall be shown where they are introduced into the calculations.
 - G. Numerical calculations shall clearly indicate type of measurement unit used.
 - H. Identify results and conclusions.
 - I. Calculations shall be neat, orderly, and legible.

- 2.6 When computer programs are used to perform in the submitted calculations package, the following minimum information shall be included: accompany the calculation, including the following:
 - A. Program Name.
 - B. Program Abstract.
 - C. Program Purpose and Applications.
 - D. Complete descriptions of assumptions, capabilities and limitations.
 - E. Instructions for preparing problem data.
 - F. Instructions for problem execution.
 - G. List (and explanation) of program acronyms and error messages.
 - H. Description of deficiencies or uncorrected errors.
 - I. Description of output options and interpretations.
 - J. Sample problem(s), illustrating all input and output options and hardware execution statements. Typically, these problems shall be verified problems.
 - K. Computer printout of all supporting calculations.
 - L. The "User's Manual" shall also include a certification section. The certification section shall describe the methods and how they cover the permitted options and uses of the program.
- 2.7 Drawings shall be drawn, to scale, showing the location and relationship of proposed adjacent construction to existing MTAMetro structures at various stages of construction along the entire adjacent alignment. The stresses and deflections induced in the existing MTAMetro structures shallshould be provided, if requested by Metro.
- 2.8 The short-term and long-term effects of the new loading due to the adjacent construction on the existing MetroMTA structures shall be evaluated and provided. The calculations shall consider site The soil parameters and other pertinent geotechnical criteria contained in the submitted contract documents.existing-contract documents for the affected structure, plus any additional conditions shall be-used to analyze the existing MTA structures.
- 2.9 Existing MetroMTA structures shall be analyzed for all loading conditions which may be imposed from the adjacent development. The analysis must demonstrate to the satisfaction of Metro, that the new loading placed upon the existing Metro facilities will not adversely affect these structures.differential pressure loadings transferred from the adjacent construction site.
 - A. If tieback anchors are used, the analysis shall consider the soil stress and strains resulting from the tieback anchorage force applied to the soil mass. The induced strains shall not adversely affect adjacent Metro facilities or equipment. The developer will be held responsible for any damages incurred to existing Metro structures by the tieback installation or function during the period of construction.
- 2.10 Proposed adjacent construction which will impose large foundation perimeter loads (gravity and/or lateral loads), shall be analyzed as special cases. The analysis shall be based on industry accepted geotechnical techniques and where applicable, the Metro Rail Design Criteria. The analysis shall demonstrate that the loading induced by the building foundation will not impose adverse effects on existing adjacent Metro facilities.

- 2.11 New construction shall maintain a minimum clear separation distance of 8 feet between the finished exterior foundations, walls and roof slabs of existing underground Metro station facilities and those of the proposed new building construction. Where temporary support elements are to be installed in close proximity to Metro underground structures, Metro may request additional details to demonstrate how the existing water/gasproofing membrane will be protected in place and/or how clearances will be maintained.
- 2.12 Where joint development passageways interface with Metro station facilities, calculations shall be provided to demonstrate that the new building elements have sufficient seismic and differential settlement ductility. Joint development passageways shall be designed to prevent over-stress to all new or existing structural elements. Details shall be included with the submittal to demonstrate how the integrity of the water/gas barrier system will be preserved between the new construction and the existing Metro structures. When specified or requested in the geotechnical investigation report, by the joint development, or by Metro, an analysis of the interaction between the existing Metro structure and the proposed new facility, shall be undertaken by the developers.
- 2.13 Temporary excavation support adjacent to existing Metro facilities shall limit lateral pile displacement to the larger of; 1) 0.001 times the overall height above the bottom of the base slab or 2) 1/2 inch (0.50 inch) deflection. The lateral forces used for the design of temporary excavation support shall consider both the static and dynamic loads.

3.0 MECHANICAL CRITERIA

- 3.1 Existing services to MTAMetro facilities, including chilled water and condenser water piping, potable and fire water, storm and sanitary sewer, piping, are not to be used, interrupted nor disturbed without written approval of MetroMTA.
- 3.2 Surface openings of ventilation shafts, emergency exits serving MetroMTA underground facilities, and ventilation system openings of surface and elevated facilities are not to be blocked or restricted in any manner. Construction dust shall be prevented from entering MTAMetro facilities.
- 3.3 Hot or foul air, fumes, smoke, steam, etc., from adjacent new or temporary facilities are not to be discharged within 40 feet of existing MetroMTA ventilation system intake shafts, station entrances or portals. Tunnel ventilation shafts are both intake and discharge structures.
- 3.4 Clear access for the fire department to the MTAMetro fire department connections shall be maintained at all times. Construction signs shall be provided to identify the location of MTAMetro fire department connections. No interruption to fire protection water service will be permitted at any time.
- 3.5 Modifications to existing MTAMetro mechanical systems and equipment, including ventilation shafts, required by new connections into the MTAMetro System, shall only be permitted with prior review and approval by MetroMTA. If changes are made to MTAMetro property as built drawings shall be provided reflecting these changes.

At the option of MetroMTA, the adjacent construction party shall be required to perform the field tests necessary to verify the adequacy of the modified system and the equipment performance. This verification shall be performed within an agreed time period jointly determined by MTAMetro and the Party on a case by case basis.

Where a modification is approved, the party shall be held responsible to maintain original operating capacity of the equipment and the system impacted by the modification.

4.0 OPERATIONAL REQUIREMENTS

- 4.1 GENERAL
 - A. Normal construction practices must be augmented to insure adequate safety for the general public entering Metro Stations and riding on Metro Trains and Buses. Design of a building, structure, or facility shall take into account the special safety considerations required for the construction of the facility next to or around an operating transit system.
 - B. Projects which require working over or adjacent to existing Metro facilitiesMTA station entrances shall develop their construction procedures and sequences of work to meet the following minimum requirements:
 - 1. Construction operations shall be planned, scheduled and carried out in a way that will afford the Metro patrons and the general public a clean, safe and orderly access and egress to the station entrance during revenue hours.
 - Construction activities which involve swinging a crane and suspended loads over pedestrian areas, MTAMetro station entrances and escalators, tracks or Metro bus passenger areas shall not be performed during revenue hours. Specific periods or hours shall be granted on a case-by-case basis, with the approval of Construction Work Plan by MTAMetro Construction Safety Department.
 - 3. All cranes must be stored and secured facing away from energized tracks, when appropriate.
 - 4. All activity must be coordinated through the MTAMetro Track Allocation process in advance of work activity. All members of the work crew will be required to attend MTA-Metro Safety Training.
 - 5. In order to provide a safe zone to maintain adjacent developments. All developments adjacent to Metro At-Grade Stations, Aerial Stations or Track Guideways shall provide a minimum 5 foot setback from the Metro and developer's shared property line to the outside face of the proposed structure at Metro or the developer's property for maintenance to be performed or installed from within the zone created by this setbacks.

4.2 OVERHEAD PROTECTION - Station Entrances

- A. Overhead protection from falling objects shall be provided over MTAMetro facilities whenever there is possibility, due to the nature of a construction operation, that an object could fall in or around MTAMetro station entrances, bus stops, elevators, or areas designed for public access to MTAMetro facilities. Erection of the overhead protection for these areas shall be done during MTAMetro non-revenue hours.
 - 1. The design live load for all overhead protection shall be 150 pounds per square foot.-minimum. The service level design wind load on the temporary structures shall be not less than that prescribed in the

California Building Code, nor less than 20 pounds per square foot, on the windward and leeward sides of the structure.

- 2. The overhead protection shall be constructed of fire rated materials. Materials and equipment shall not be stored on the completed shield. The roof of the shield shall be constructed and maintained watertight.
- B. Lighting in public areas and around affected MTAMetro facilities shall be provided under the overhead protection to maintain a minimum level of twenty-five (25) footcandles at the escalator treads or at the walking surface. The temporary lighting shall be maintained by the Party.
- C. Wooden cConstruction fencing shall be installed at the boundary of the areas with public access. The fencing shall be at least eight-feet high, and shall meet all applicable code requirements.
- D. An unrestricted public access path shall be provided at the upper landing of the entrance escalator-way in accordance with the following:
 - 1. A vertical clearance between the walking surface and the lowest projection of the shield shall be 8'-0".
 - 2. A clear pedestrian runoff area extending beyond the escalator newel shall be provided, the least dimension of which shall be twenty (20) feet.
 - 3. A fifteen (15) foot wide strip (other than the sidewalk) shall be maintained on the side of the escalator for circulation when the escalator is pointed away from a street corner.
 - 4. A clear path from any MTAMetro emergency exit to the public street shall be maintained at all times.
- E. Temporary sidewalks or pedestrian ways, which will be in use more than 10 days, shall be constructed of four (4") inch thick Portland cement concrete or four (4") inches of asphaltic concrete placed over a minimum four (4") inches of untreated base material, and finished by a machine.

4.3 OVERHEAD PROTECTION - Operating Right-of-Way Trackage

- A. MTAMetro Rail Operations Control Center shall be informed of any intent to work above, on, or under the MTAMetro right-of-way. Crews shall be trained and special flagging operations shall be directed by MTAMetro Rail Operations Control Center. The party shall provide competent persons to serve as Flaggers. These Flaggers shall be trained and certified by MTAMetro Rail Operations prior to any work commencing. All costs incurred by MTAMetro shall be paid by the party.
- B. A construction project that will require work over, under or adjacent to the at grade and aerial MetroMTA right-of-way should be aware that the operation of machinery, construction of scaffolding or any operation hazardous to the operation of the MTAMetro facility shall require that the work be done during non-revenue hours and authorized through the MTAMetro Track Allocation process.
- C. MTAMetro flagmen or inspectors from MTAMetro Operations shall observe all augering, pile driving or other work that is judged to be hazardous. Costs associated with the flagman or inspector shall be borne by the Party.

D. The party shall request access rights or track rights to perform work during non-revenue hours. The request shall be made through the MTAMetro Track Allocation process.

4.4 OTHER METRO FACILITIES

- A. Access and egress from the public streets to fan shafts, vent shafts and emergency exits must be maintained at all times. The vent and fan shafts shall be protected from dust and debris. See Exhibit A for details.
- B. Prior to excavation, a comprehensive survey of all Metro power lines and other utilities within the vicinity of the work area shall be fully discovered. Any excavation in the vicinity of MTAMetro power lines feeding the Metro System shall be through hand excavation and only after authorization has been obtained through the MTAMetro Track Allocation process. MTAMetro Rail Operations Control Center shall be informed before any operations commences near the MTAMetro power system.
- C. Flammable liquids shall not to be stored over or within 25 feet horizontally of MTAMetro underground facilities. If installed within 25 to 100 feet horizontally of the structure, protective encasement of the tanks shall be required in accordance with NFPA 30STD 130. Existing underground tanks located within 100 feet horizontally of MTAMetro facilities and scheduled to be abandoned are to be disposed of in accordance with Appendix C of NFPA 30STD 130. NFPA 30STD 130 shall also be applied to the construction of new fuel tanks.
- D. Isolation of MTAMetro Facilities from Blast

Subsurface areas of new adjacent private buildings where the public has access or that cannot be guaranteed as a secure area, such as parking garages and commercial storage and warehousing, will be treated as areas of potential explosion. At Metro's discretion, NFPA 30130, Standard for Fixed Guideway Transit Systems, life safety separation criteria shallwill be applied for all joint development passageways, adjacent parking garages, commercial storage facilities, or other subsurface spaces of new buildings which are not secure and are accessible to the public, or in Metro's opinion may be considered areas subject to potential explosion that assuminges that such spaces contain Class I flammable, or Class II or Class III combustible liquids. For structural and other considerations, separation and isolation for blast, explosion over-pressures shall will be compared to seismic loading, the larger pressure shall govern where applicable.treated the same as seismic separation, and the more restrictive shall be applied.

E. Any proposed facility that is located within 20 feet radius of an existing Metro facility willmay, at Metro's discretion, require a blast and explosion study and recommendations to be conducted by a specialist who is specialized in the area of blast force attenuation. This study must assess the effect that an explosion in the proposed non-Metro facility will have on the adjacent Metro facility and provide recommendations to prevent any catastrophic damage to the existing Metro facility. Metro must approve the qualifications of the proposed specialist prior to commencement of any work on this specialized study.

- F. Anticipated patronage projections when new shared entrances to rail systems are planned must be included in the design analysis and implemented subject to Metro review and approval.
- 4.5 SAFETY REGULATIONS
 - A. Comply with Cal/OSHA Compressed Air Safety Orders Title 8, Division 1, Chapter 4, Subchapter 3. Comply with California Code of Regulations Title 8, Title 29 Code of Federal Regulations; and/or the Construction Safety and Health Manual (Part F) of the contract whichever is most stringent in regulating the safety conditions to be maintained in the work environment as determined by the Authority. The Party recognizes that government promulgated safety regulations are minimum standards and that additional safeguards may be required
 - B. Comply with the requirements of Chemical Hazards Safety and Health Plan, (per 29 CFR 1910.120 entitled, (Hazardous Waste Operations and Emergency Response) with respect to the handling of hazardous or contaminated wastes and mandated specialty raining and health screening.
 - C. Party and contractor personnel while within the operating MTAMetro right-ofway shall coordinate all safety rules and procedures with MTAMetro Rail Operations Control Center.
 - D. When support functions and electrical power outages are required, the approval MUST be obtained through the MTAMetro Track Allocation procedure. Approval of the support functions and power outages must be obtained in writing prior to shutdown.
 - E. Designs shall comply with the requirements of NFPA 130, Standard for Fixed Guideway Transit and Passenger Rail Systems.

4.6 COMMUNICATIONS

Various forms of Metro communications infrastructure (Wireless, CCTV, Public Address Systems, etc.) can be adversely affected by Adjacent Property development if proper accommodations are not implemented early in the development phase. Therefore, the adjacent property developer must acknowledge their responsibility to coordinate and preserve the applicable Metro communication systems through Construction to the final Commissioning of New Adjacent Properties.

A. Wireless Communications: Metro utilizes radio/microwave communications to enable field contact with; LAPD, LAFD, and LASD and Metro Ops personnel (Operations and Security). Depending on the nature of the proposed buildings and facilities associated with the adjacent development, radio interference and/or obstructed line of sight issued are possible without proper planning and coordination. Equipment locations may need to be moved. In some cases, the antennas and supporting equipment may need to be attached and/or installed in the proposed buildings and facilities associated with the adjacent development.

- B. CCTV Systems: Metro utilized CCTV systems for security and surveillance to enable LAPD, LASD, and Metro Ops personnel (Operations and Security) to monitor activities. Depending on the nature of the proposed buildings and facilities associated with the adjacent development, CCTV obstructed line of sight issues are possible, and could cause security and surveillance issues, without proper planning and coordination. Equipment locations may need to be moved. In some cases, the Cameras and supporting equipment may need to be moved on the Metro facilities or attached to the proposed buildings and facilities associated with the adjacent development.
- C. Public Address (PA) Systems: PA Systems if used by the adjacent development have the potential to interfere with existing Metro PA Communications. If the developer will be including a PA system in the proposed development this issue must be coordinated with Metro Systems Group.
- 5.0 CORROSION
 - 5.1 STRAY CURRENT PROTECTION
 - A. Because **underground** stray currents **produced by the Metro Direct Current Rail System** may be present in the area of the project, the Party shall investigate the site for stray currents and provide the means for mitigation when warranted.
 - B. Installers of facilities that will require a Cathodic Protection (CP) system must coordinate their CP proposals with Metro.MTA. Inquiries shall be routed to the Manager, Third Party Administration.
 - C. The Party is responsible for damage caused by its contractors to MTAMetro corrosion test facilities in public right-of-way.



<u>SECTION – A</u>

<u>section – b</u>

End of Section

Los Angeles County Metropolitan Transportation Authority

METRO ADJACENT DEVELOPMENT HANDBOOK

A GUIDE FOR CITIES AND DEVELOPERS

MAY 2018



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Introduction

The Metro Adjacent Development Handbook provides guidance to local jurisdictions and developers constructing on, adjacent, over, or under Metro right of way, non-revenue property, or transit facilities to support transit-oriented communities, reduce potential conflicts, and facilitate clearance for building permits. The Handbook should be used for guidance purposes only. The Metro Adjacent Construction Design Manual and Metro Rail Design Criteria are documents that shall be strictly adhered to for obtaining approval for any construction adjacent to Metro facilities.

Who is Metro?

The Los Angeles County Metropolitan Transportation Authority (Metro) plans, funds, builds, and operates rail and bus service throughout Los Angeles County. Metro moves close to 1.3 million riders on buses and trains daily, traversing many jurisdictions in Los Angeles County. With funding from the passage of *Measure R* (2008) and *Measure M* (2016), the Metro system will expand significantly, adding over 100 miles of new transit corridors and up to 60 new stations. New and expanded transit lines will improve mobility across Los Angeles County, connecting riders to more destinations and expanding opportunities for adjacent construction and *Transit Oriented Communities (TOCs)*. Metro's bus and rail service spans over 1,433 square miles and includes the following transit service:



Metro Rail connects close to 100 stations along 98.5 miles of track and operates underground in tunnels, at grade within roadways and dedicated *rights-of-way (ROW)*, and above grade on aerial guideways. The Metro Rail fleet includes *heavy rail* and *light rail* vehicles. Heavy rail vehicles are powered by a third rail through a conductor along the tracks and light rail vehicles are powered by an *overhead catenary system (OCS)*. To operate rail service, Metro owns traction power substations, maintenance yards and shops, and supporting infrastructure.



Metro Bus-Rapid-Transit (BRT) operates accelerated bus transit, which serves as a hybrid between rail and traditional bus service. *BRT* operates along a dedicated ROW, separated from vehicular traffic to provide rapid service. Metro BRT may run within the center of a freeway or may be separated from traffic in its own corridor. BRT station footprints vary from integrated, more spacious stations to compact boarding areas along streets.



Metro Bus serves 15,967 bus stops, operates 170 routes and covers 1,433 square miles with a fleet of 2,228 buses. Metro "Local" and "Rapid" bus service runs within the street, typically alongside vehicular traffic, though occasionally in "bus-only" lanes. Metro bus stops are typically located on sidewalks within the public right-of-way, which is owned and maintained by local jurisdictions.



Metrolink/Regional Rail: Metro owns much of the ROW within Los Angeles County on which the *Southern California Regional Rail Authority (SCRRA)* operates *Metrolink* service. Metrolink is a commuter rail system with seven lines that span 388 miles throughout Los Angeles, Orange, Riverside, San Bernardino, Ventura, and North San Diego counties. As a SCRRA member agency and property owner, Metro reviews development activity adjacent to Metrolink ROW.

Introduction

Metro and Regional Rail Map



Metro is currently undertaking the largest rail infrastructure expansion effort in the United States. A growing fixed guideway system presents new adjacency challenges, but also new opportunities to catalyze land use investment and shape livable communities along routes and around stations.
Metro Bus and Rail System Map (Excerpt)



As a street-running transit service, Metro's "Rapid" and "Local" buses share the public ROW with other vehicles, cyclists, and pedestrians, and travel through the diverse landscapes of Los Angeles County's 88 cities and unincorporated areas.

Introduction

Why is Metro Interested in Adjacent Development?

Metro Supports Transit Oriented Communities

Metro is redefining the role of the transit agency by expanding mobility options, promoting sustainable urban design, and helping transform communities throughout Los Angeles County. Leading in this effort is Metro's vision to create TOCs, a mobility and development approach that is community-focused and context-responsive at its core. The TOC approach goes beyond the traditional transit oriented development (TOD) model to focus on shaping vibrant places that are compact, walkable, and bikeable community spaces, and acknowledge mobility as an integral part of the urban fabric.

Adjacent Development Leads to Transit Oriented Communities

Metro supports private development adjacent to transit as this presents a mutually beneficial opportunity to enrich the built environment and expand mobility options for users of developments. By connecting communities, destinations, and amenities through improved access to public transit, adjacent developments have the potential to reduce car dependency and greenhouse gas emissions; promote walkable and bikeable communities that accommodate more healthy and active lifestyles; improve access to jobs and economic opportunities; and create more opportunities for mobility – highly desirable features in an increasingly urbanized environment.

Metro is committed to working with stakeholders across the County to support the development of a sustainable, welcoming, and well-designed environment around its transit services and facilities. Acknowledging an unprecedented opportunity to influence how the built environment throughout Los Angeles County develops along and around transit and its facilities, Metro has created this Handbook – a resource for municipalities, developers, architects, and engineers to use in their land use planning, design, and development efforts. This Handbook presents a crucial first step in active collaboration with local stakeholders; finding partnerships that leverage Metro initiatives and support TOCs across Los Angeles County; and ensuring compatibility with transit infrastructure to minimize operational, safety, and maintenance issues.



What are the Goals of the Handbook?

Metro is committed to partnering with local jurisdictions and providing information to developers early in project planning to identify potential synergies associated with building next to transit and reduce potential conflicts with transit infrastructure and services. Specifically, the Handbook is intended to guide the design, engineering, construction, and maintenance of structures within 100 feet of Metro ROW, including underground easements, on which Metro operates or plans to operate service, as well as in close proximity to or on Metro-owned non-revenue property and transit facilities.

Metro is interested in reviewing projects within 100 feet of its ROW – measured from the edge of the ROW outward – both to maximize integration opportunities with adjacent development and to ensure the structural safety of existing or planned transit infrastructure. As such, the Handbook seeks to:

- Improve communication, coordination, and understanding between developers, municipalities, and Metro.
- Streamline the development review process by coordinating a seamless, comprehensive agency review of all proposed developments near Metro facilities and properties.
- Highlight Metro operational needs and requirements to ensure safe, continuous service.
- Identify common concerns associated with developments adjacent to Metro ROW.
- Prevent potential impacts to Metro transit service or infrastructure.
- Maintain access to Metro facilities for patrons and operational staff.
- Avoid preventable conflicts resulting in increased development costs, construction delays, and safety impacts.
- Make project review transparent, clear, and more efficient.
- Assist in the creation of overall marketable and desirable developments.

Who Should Use the Handbook?

The Handbook is intended to be used by:

- Local jurisdictions who review, entitle, and permit development projects and/or develop policies related to land use, development standards, and mobility
- Developers, Project sponsors, architects, and engineers
- Entitlement consultants
- Property owners
- Builders/contractors
- Real estate agents
- Utility owners
- Environmental consultants

Metro Adjacent Development Handbook

How Should the Handbook be Used?

The Handbook complements requirements housed in the *Metro Adjacent Construction Design Manual*, which accompanies the *Metro Rail Design Criteria (MRDC)* and other governing documents that make up the *Metro Design Criteria and Standards*. This Handbook provides an overview and guide related to opportunities, common concerns, and issues for adjacent development and is organized into three categories to respond to different stages of the development process:



2 Engineering



Each page of the Handbook focuses on a specific issue and provides best practices to avoid potential conflicts and/or create compatibility with the Metro transit system. Links to additional resources listed at the bottom of each page may be found under Resources at the end of the Handbook. Definitions for words listed in *italics* may also be found at the end of this Handbook in the Glossary.

Metro will continue to revise the Handbook, as needed, to capture input from all parties and reflect evolving Best Practices in safety, operations, and transit-supportive development.



Types of Metro ROW & Transit Assets

Conditions	Description	Common Concerns for Metro with Adjacent Development
UNDERGROUND ROW	Transit operates below ground in tunnels.	 Excavation support/tiebacks Underground utilities Shoring and structures Ventilation shafts and street/sidewalk surface penetrations Appendages (emergency exits, vents, etc.) Surcharge loading of adjacent construction Explosions Noise and vibration/ground movement
ELEVATED ROW	Transit operates on elevated structures, typically supported by columns.	 Upper level setbacks Excavation support/tiebacks Clearance from the OCS Crane swings & overhead protection Column foundations
OFF-STREET ROW	Transit operates in dedicated ROW at street level, typically separated from private property or roadway by a fence or wall.	 Building setbacks from ROW Travel sight distance/cone of visibility Clearance from OCS Crane swings & overhead protection Storm water drainage for low impact development Noise/vibration Trackbed stability
ON-STREET ROW	Transit operates within roadway at street level and is separated by fencing or a mountable curb.	 Setbacks from ROW Travel sight distance/cone of visibility impeded by structures near ROW Clearance from OCS Crane swings & overhead protection Driveways near ROW crossings Noise/vibration Trackbed stability
ON-STREET BUSES	Metro buses operate on city streets. Bus stops are located on public sidewalks.	 Lane closures and re-routing Bus stop access and temporary relocation
NON-REVENUE/ OPERATIONAL ASSETS	Metro owns and maintains non- operational ROW and property used to support the existing and planned transit system (e.g. bus and rail maintenance facilities, transit plazas, traction power substations, park-and-ride lots).	 Adjacent structure setbacks Adjacent excavation support/tiebacks Ground movement Underground utilities Drainage Metro access

Metro Review Phases

To facilitate early and continuous coordination with development teams and municipalities, and to maximize opportunities for project-transit synergy, Metro employs a four-phase development review process for projects within 100 feet of its ROW and properties:



PRELIMINARY CONSULTATION

Project sponsor submits Metro In-Take Form and conceptual plans. Metro reviews and responds with preliminary considerations.

- 1. Project information is routed to impacted Metro departments for review and comment.
- 2. Metro coordinates a meeting at the request of the project sponsor or if Metro determines it necessary following preliminary review.
- 3. Metro submits comment letter with preliminary considerations for municipality and/or project sponsor. Metro recorded drawings and standards are provided as necessary.



ENTITLEMENT

Metro receives CEQA notice from local municipality and responds with comments and considerations.

- 1. If project has not previously been reviewed, Metro routes project information to stakeholder departments for review and comment. If Project has been reviewed, Metro transmits the correspondence to departments to determine if additional comments are warranted. Municipality and project sponsor are contacted if additional information is required.
- 2. Metro coordinates design review meetings at the request of the project sponsor or if Metro determines them necessary following drawings review.
- 3. Metro prepares comment letter in response to CEQA notice and submits to municipality. Metro Engineering coordinates with project sponsor as necessary to approve project drawings.



ENGINEERING & REFINEMENT

Dependent on the nature of the adjacent development, project sponsor submits architectural plans and engineering calculations for Metro review and approval.

- 1. Metro Engineering reviews project plans, calculations, and other materials. Review fees are paid as required.
- 2. Metro Engineering provides additional comments for further consideration or approves project drawings.
- 3. If required, Metro and project sponsor host additional meetings and maintain on-going coordination to ensure project design does not adversely impact Metro operations and facilities.



CONSTRUCTION SAFETY & MONITORING

Dependent on the nature of the adjacent development, Metro coordinates with project sponsor to facilitate and monitor construction near transit services and structures.

- 1. As requested by Metro, project sponsor submits a Construction Work Plan for review and approval.
- 2. Project sponsor coordinates with Metro to temporarily relocate bus stops, reroute bus service, allocate track, and/or complete safety procedures in preparation for construction.
- 3. Metro representative monitors construction and maintains communication with project sponsor to administer the highest degree of construction safety provisions near Metro facilities.

Metro Coordination

Best Practices for Municipality Coordination

Metro suggests that local jurisdictions take the following steps to streamline the coordination process:

- 1. Update GIS instruments with Metro ROW: Integrate Metro ROW files into City GIS and/or Google Earth Files for all planning and development review staff.
- 2. Flag Parcels: Create an overlay zone through Specific Plans and/or Zoning Ordinance that "tags" parcels within 100' from Metro ROW to require coordination with Metro early during the development process [e.g. City of Los Angeles Zone Information and Map Access System (ZIMAS)].
- **3. Provide Resources**: Direct all property owners and developers interested in parcels within 100' from Metro ROW to Metro resources (e.g. website, Handbook, In-Take Form, etc.).

Best Practices for Developer Coordination

Metro suggests that developers of projects adjacent to Metro ROW take the following steps to facilitate Metro project review and approval:

- 1. **Review Metro resources and policies**: The Metro Adjacent Development Review webpage and Handbook provide important resources for those interested in constructing on, adjacent, over, or under Metro right of way, non-revenue property, or transit facilities. Developers should familiarize themselves with these resources and keep in mind common adjacency concerns when planning a project.
- 2. Contact Metro early during design process: Metro welcomes the opportunity to provide feedback early in project design, allowing for detection and resolution of important adjacency issues, identification of urban design and system integration opportunities, and facilitation of permit approval.
- **3. Maintain communication**: Frequent communication with stakeholder Metro departments during project design and construction will reinforce relationships and allow for timely project completion.







1.1 Supporting Transit Oriented Communities

Adjacent development plays a crucial role in shaping TOCs along and around Metro transit services and facilities. TOCs require an intentional orchestration of physical, aesthetic, and operational elements, and close coordination by all stakeholders, including Metro, developers, and municipalities.

Recommendation: Conceive projects as an integrated system that acknowledges context, builds on user needs and desires, and implements elements of placemaking. Metro is interested in collaborating with projects and teams that, in part or wholly:

- Integrate a mix of uses to create lively, vibrant places that are active day and night.
- Include a combination of buildings and public spaces to define unique and memorable places.
- Explore a range of densities and massing to optimize building functionality while acknowledging context-sensitive scale and architectural form.
- Activate ground floor with retail and outdoor seating/activities to bring life to the public environment.
- Prioritize pedestrian scaled elements to create spaces that are comfortable, safe, and enjoyable.
- Provide seamless transitions between uses to encourage non-motorized mobility, improve public fitness and health, and reduce road congestion.
- Reduce and hide parking to focus on pedestrian activity.
- Prevent crime through environmental design.
- Leverage regulatory TOD incentives to design a more compelling project that capitalizes on transit adjacency and economy of scales.
- Utilize Metro policies and programs supporting a healthy, sustainable, and welcoming environment around transit service and facilities.

Links to Metro policies and programs may be found in the <u>Resources Section</u> of this Handbook.



The Wilshire/Vermont Metro Joint Development project leveraged existing transit infrastructure to catalyze a dynamic and accessible urban environment. The project accommodates portal access into the Metro Rail system and on-street bus facilities.



1.2 Enhancing Access to Transit

Metro seeks to create a comprehensive, integrated transportation network and supports infrastructure and design that allows safe and convenient access to its multimodal services. Projects in close proximity to Metro's services and facilities present an opportunity to enhance the public realm and connections to/from these services for transit patrons as well as users of the developments.

Recommendation: Design projects with transit access in mind. Project teams should capitalize on the opportunity to improve the built environment and enhance the public realm for pedestrians, bicyclists, persons with disabilities, seniors, children, and users of green modes. Metro recommends that projects:

- Orient major entrances to transit service, making access and travel intuitive and convenient.
- Plan for a continuous canopy of shade trees along all public right-of-way frontages to improve pedestrian comfort to transit facilities.
- Add pedestrian lighting along paths to transit facilities and nearby destinations.
- Integrate wayfinding and signage into project design.
- Enhance nearby crosswalks and ramps.
- Ensure new walkways and sidewalks are clear of any obstructions, including utilities, traffic control devices, trees, and furniture.
- Design for seamless, multi-modal pedestrian connections, making access easy, direct, and comfortable.



The City of Santa Monica leveraged investments in rail transit and reconfigured Colorado Avenue to form a multi-modal first/last mile gateway to the waterfront from the Expo Line Station.

Additional Resources:

Metro Active Transportation Strategic Plan Metro Complete Streets Policy Metro First/Last Mile Strategic Plan Metro Transit Supportive Planning Toolkit



1.3 Building Setback

Buildings and structures with a zero lot setback abutting Metro ROW are of prime concern to Metro. Encroachment onto Metro property to construct or maintain buildings is strongly discouraged as this presents safety hazards and may disrupt transit service and/or damage Metro infrastructure.

Recommendation: Metro strongly encourages development plans include a minimum setback of five (5) feet to buildings from the Metro ROW property line to accommodate the construction and maintenance of structures without the need to encroach upon Metro property. As local jurisdictions also have building setback requirements, new developments should comply with the greater of the two requirements.

Entry into the ROW by parties other than Metro and its affiliated partners requires written approval. Should construction or maintenance of a development necessitate temporary or ongoing access to Metro ROW, a Metro *Right of Entry Permit* must be requested and obtained from Metro Real Estate for every instance access is required. Permission to enter the ROW is granted solely at Metro's discretion.

Refer to Section 3.2 –Track Access and Safety for additional information pertaining to ROW access in preparation for construction activities.



A minimum setback of five (5) feet between an adjacent structure and Metro ROW is strongly encouraged.

Additional Resources: Metro Adjacent Construction Design Manual



1.4 Shared Barrier Construction & Maintenance

In areas where Metro ROW abuts private property, barrier construction and maintenance responsibilities can rise to be a point of contention with property owners. When double barriers are constructed, the gap created between the Metro-constructed fence and a private property owner's fence can accumulate trash and make regular maintenance challenging without accessing the other party's property.

Recommendation: Metro strongly prefers a single barrier condition along its ROW property line. With an understanding that existing conditions along ROW boundaries vary throughout Los Angeles County, Metro recommends the following, in order of preference:

- Enhance existing Metro barrier: if structural capacity allows, private property owners and developers should consider physically affixing improvements onto and building upon Metro's existing barrier. Metro is amenable to barrier enhancements such as increasing barrier height and allowing private property owners to apply architectural finishes to their side of Metro's barrier.
- 2. Replace existing barrier(s): if conditions are not desirable, remove and replace any existing barrier(s), including Metro's, with a new single barrier built on the property line.

Metro is amenable to sharing costs for certain improvements that allow for clarity in responsibilities and adequate ongoing maintenance from adjacent property owners without entering Metro's property. Metro Real Estate should be contacted with case-specific questions and will need to approve shared barrier design, shared-financing, and construction.



Double barrier conditions allow trash accumulation and create maintenance challenges for Metro and adjacent property owners.



Metro prefers a single barrier condition along its ROW property line.



1.5 Project Orientation & Noise Mitigation

Metro may operate in and out of revenue service 24 hours per day, every day of the year, and can create noise and vibration (i.e. horns, power washing). Transit service and maintenance schedules cannot be altered to avoid noise for adjacent developments. However, noise and vibration impacts can be reduced through building design and orientation.

Recommendations: Use building orientation, programming, and design techniques to reduce noise and vibration for buildings along Metro ROW:

- Locate "back of house" rooms (e.g. bathrooms, stairways, laundry rooms) along ROW, rather than noise sensitive rooms (e.g. bedrooms and family rooms)
- Use upper level setbacks and locate living spaces away from ROW.
- Enclose balconies.
- Install double-pane windows.
- Include language disclosing potential for noise, vibration, and other impacts due to transit proximity in terms and conditions for building lease/sale agreements to protect building owners/sellers from tenant/buyer complaints.

Developers are responsible for any noise mitigation required, which may include engineering designs for mitigation recommended by Metro or otherwise required by local municipalities. A recorded *Noise Easement Deed* in favor of Metro may be required for projects within 100' of Metro ROW to ensure notification to tenants and owners of any proximity issues.



Building orientation can be designed to face away from tracks, reducing the noise and vibration impacts.



Strategic placement of podiums and upperlevel setbacks on developments near Metro ROW can reduce noise and vibration impacts.

Additional Resources: <u>Noise Easement Deed</u> MRDC, Section 2 – Environmental Considerations



1.6 Sightlines at Crossings

Developments adjacent to Metro ROW can present visual barriers to transit operators approaching vehicular and pedestrian crossings. Buildings and structures in close proximity to transit corridors can reduce sightlines and create blind corners where operators cannot see pedestrians. This requires operations to reduce train speeds, which decreases the efficiency of transit service.

Recommendation: Design buildings to maximize transit service sightlines at crossings, leaving a clear *cone of visibility* to oncoming vehicles and pedestrians. Metro Operations will review, provide guidance, and determine the extent of operator visibility for safe operations. If the building envelope overlaps with the visibility cone near pedestrian and vehicular crossings, a building setback may be needed to ensure safe transit service. The cone of visibility at crossings and required setback will be determined based on vehicle approach speed.



Limited sightlines for trains approaching street crossings create unsafe conditions.



Visibility cones allow train operators to respond to safety hazards.

Additional Resources: MRDC, Section 4 – Guideway and Trackwork MRDC, Section 12 – Safety, Security, & System Assurance



1.7 Transit Envelope Clearance

Metro encourages density along and around transit service as well as greening of the urban environment through the addition of street trees and landscaping. However, building appurtenances, such as balconies, facing rail ROW may pose threats to Metro service as clothing or other décor could blow into the OCS. Untended landscaping and trees can also grow into the OCS above light rail lines, creating electrical safety hazards as well as visual and physical impediments for trains.

Recommendation: Project elements facing or located adjacent to the ROW should be designed to avoid potential conflicts with Metro transit vehicles and infrastructure. Metro recommends that projects:

- Maintain building appurtenances and landscaping at a minimum distance of ten (10) feet from the OCS and support structures.
- Plan for landscape maintenance from private property and not allow growth into the Metro ROW. Property owners will not be permitted to access Metro property to maintain private development.
- Design buildings such that balconies do not provide direct access to ROW access.



Adjacent structures and landscaping should be sited to avoid conflicts with the rail OCS.

Additional Resources: <u>MRDC, Section 4 – Guideway and Trackwork</u> <u>MRDC, Section 6 – Architectural</u> <u>MRDC, Section 12 – Safety, Security, & System Assurance</u>



1.8 Bus Stops & Zones Design

Metro Bus serves 15,967 bus stops throughout the diverse landscape that is Los Angeles County. Typically located on sidewalks within the public right-of-way owned and maintained by local jurisdictions, existing bus stop conditions vary from well-lit and sheltered spaces to uncomfortable and unwelcoming zones. Metro is interested in working with developers and local jurisdiction to create a vibrant public realm around new developments by strengthening multi-modal access to/from Metro transit stops and enhancing the pedestrian experience.

Recommendation: When designing around existing or proposed bus stops, Metro recommends project teams:

- Review Metro's Transit Service Policy: Appendix D, which provides standards for design and operation of bus stops and zones for near-side, far-side, and mid-block stops. In particular, adjacent projects should:
 - Accommodate 6' x 8' landing pads at bus doors.
 - Install a concrete bus pad within each bus stop zone to avoid asphalt damage.
- Replace stand-alone bus stop signs with bus shelters that include benches and adequate lighting.
- Design wide sidewalks (15' preferred) that accommodate bus landing pads as well as street furniture, landscape, and user travel space.
- Ensure final design of stops and surrounding sidewalk allows passengers with disabilities a clear path of travel.
- Place species of trees in quantities and spacing that will provide a continuous shade canopy in paths of travel to access transit stops. These must be placed far enough away from the curb and adequately maintained to prevent visual and physical impediments for buses when trees reach maturity.
- Locate and design driveways to avoid conflicts with on-street services and pedestrian traffic.

Additional Resources: Metro Transit Service Policy



Well-designed and accessible bus stops are beneficial amenities for both transit riders and users of adjacent developments.



1.9 Driveways/Access Management

Driveways adjacent to on-street bus stops can create conflict for pedestrians walking to/from or waiting for transit. Additionally, driveways accessing parking and loading at project sites near Metro Rail and BRT crossings can create queuing issues along city streets and put vehicles in close proximity with fast moving trains and buses.

Recommendation: Metro encourages new developments to promote a lively public space mutually beneficial to the project and Metro by providing safe, comfortable, convenient, and direct connections to transit. Metro recommends that projects:

- Place driveways along side streets and alleys, away from onstreet bus stops and transit crossings to minimize safety conflicts between active tracks, transit vehicles, and people, as well as queuing on streets.
- Locate vehicular driveways away from transit crossings or areas that are likely to be used as waiting areas for transit services.
- Program loading docks away from sidewalks where transit bus stop activity is/will be present.
- Consolidate vehicular entrances and reduce width of driveways.
- Raise driveway crossings to be flush with the sidewalk, slowing automobiles entering and prioritizing pedestrians.
- Separate pedestrian walkways to minimize conflict with vehicles and encourage safe non-motorized travel.



Driveways in close proximity to each other compromise safety for those walking to/from transit and increase the potential for vehiclepedestrian conflicts.



A consolidated vehicular entrance greatly reduces the possibility for vehicle-pedestrian conflicts.

Additional Resources: Metro First/Last Mile Strategic Plan MRDC, Section 3 – Civil



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2.1 Excavation Support System Design

Excavation near Metro ROW has the potential to disturb adjoining soils and jeopardize the support of existing Metro infrastructure. Any excavation which occurs within the geotechnical *foul zone* is subject to Metro review and approval. The geotechnical zone of influence shall be defined as the area below the track-way as measured from a 45-degree angle from the edge of the rail track ballast. Construction within this vulnerable area poses a potential risk to Metro service and safety and triggers additional safety regulations.

Recommendation: Coordinate with Metro Engineering staff for review and approval of structural and support of excavation drawings prior to the start of excavation or construction. Tie backs encroaching into Metro ROW may require a tie back easement or license, at Metro's discretion.

Any excavation/shoring within Metrolink operated and maintained ROW would require compliance with Metrolink Engineering standards and guidelines.



An underground structure located within the ROW foul zone would require additional review by Metro.

Additional Resources: <u>Metrolink Engineering & Construction Requirements</u> <u>MRDC, Section 3 – Civil</u> MRDC, Section 5 – Structural/Geotechnical





2.2 Proximity to Stations & Tunnels

Metro supports development of commercial and residential properties near transit services and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of the developments. However, construction adjacent to, over, or under underground Metro facilities (tunnels, stations and appendages) is of great concern and should be coordinated closely with Metro Engineering.

Recommendation: Dependent on the nature of the adjacent construction, Metro will need to review the geotechnical report, structural foundation plans, sections, shoring plan sections and calculations. Metro typically seeks to maintain a minimum eight (8) foot clearance from existing Metro facilities to new construction (shoring or tiebacks). It will be incumbent upon the developer to demonstrate, to Metro's satisfaction, that both the temporary support of construction and the permanent works do not adversely affect the structural integrity, safety or continued efficient operation of Metro facilities.

Metro may require monitoring where such work will either increase or decrease the existing overburden (i.e. weight) to which the tunnels or facilities are subjected. When required, the monitoring will serve as an early indication of excessive structural strain or movement. Additional information regarding monitoring requirements, which will be determined on a case-by-case basis, may be found in Section 3.4, Excavation Drilling/Monitoring.



Underground tunnels in close proximity to adjacent basement structure.

Additional Resources: <u>MRDC, Section 3 – Civil</u> MRDC, Section 5 – Structural/Geotechnical





2.3 Protection from Explosion/Blast

Metro is obligated to ensure the safety of public transit infrastructure from potential explosive sources which could originate from adjacent underground structures or from at grade locations, situated below elevated *guideways* or stations. Blast protection setbacks or mitigation may be required for large projects constructed near critical Metro facilities.

Recommendation: Avoid locating underground parking or basement structures within twenty (20) feet from an existing Metro tunnel or facility (exterior face of wall to exterior face of wall). Adjacent developments which are within this 20-foot envelope may be required to undergo a *Threat Assessment and Blast/Explosion Study* subject to Metro review and approval.



An underground structure proposed within twenty (20) feet of a Metro structure may require a threat assessment and blast/explosion study.

Additional Resources: <u>Metro Adjacent Construction Design Manual</u> <u>MRDC, Section 3 – Civil</u> MRDC, Section 5 – Structural/Geotechnical



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3.1 Pre-Construction Coordination

Metro is concerned with impacts on service requiring single tracking, line closures, speed restrictions, and *bus bridging* occurring as a result of adjacent project construction. Projects that will require work over, under, adjacent, or on Metro property or ROW and include operation of machinery, scaffolding, or any other potentially hazardous work are subject to evaluation in preparation for and during construction to maintain safe operations and passenger wellbeing.

Recommendation: Following an initial screening of the project, additional coordination may be determined to be necessary. Dependent on the nature of the adjacent construction, developers may be requested to perform the following as determined on a caseby-case basis:

- Submit a construction work plan and related project drawings and specifications for Metro review.
- Submit a contingency plan, show proof of insurance coverage, and issue current certificates.
- Provide documentation of contractor qualifications.
- Complete pre-construction surveys, perform baseline readings, and install movement instrumentation.
- Complete readiness review and perform practice run of shutdown per contingency plan.
- Confirm a ROW observer or other safety personnel and an inspector from the parties.
- Establish a coordination process for access and work in or adjacent to ROW for the duration of construction.

Project teams will be responsible for the costs of adverse impacts on Metro transit operations caused by work on adjacent developments, including remedial work to repair damage to Metro property, facilities, or systems. Additionally, a review fee may be assed based on an estimate of required level of effort provided by Metro.

All projects adjacent to Metrolink infrastructure will require compliance with SCRRA Engineering Standards and Guidelines.



Metro staff oversees construction for the Purple Line extension.

Additional Resources:

Metrolink Engineering & Construction Requirements

Metro Adjacent Construction Design Manual



3.2 Track Access and Safety

Permission is needed from Metro to enter Metro property for construction and maintenance along, above, or under Metro ROW as these activities can interfere with Metro utilities and service and pose a safety hazard to construction teams and transit riders. Track access is solely at Metro's discretion and is discouraged to prevent electrocution and collisions with construction workers or machines.

Recommendation: To work in or adjacent to Metro ROW, the following must be obtained and/or completed:

- <u>Right-of-Entry Permit/Temporary Construction Easement:</u> All access to and activity on Metro property, including easements necessary for construction of adjacent projects, must be approved through a Right-of-Entry Permit and/or a Temporary Construction Easement obtained from Metro Real Estate and may require a fee.
- <u>Track Allocation:</u> All work on Metro Rail ROW must receive prior approval from Metro Rail Operations Control. Track Allocation identifies, reserves, and requests changes to normal operations for a specific track section, line, station, location, or piece of equipment to allow for safe use by a non-Metro entity.
- <u>Safety Training</u>: All members of the project construction team will be required to attend Metro Safety Training in advance of work activity.
- <u>Construction Work Plan</u>: Dependent on the nature of adjacent construction, Metro may request a construction work plan, which describes means and methods and other construction plan details, to ensure the safety of transit operators and patrons.

Additional Resources:

Metro Adjacent Construction Design Manual Safety Training Track Allocation



Trained flaggers ensure the safe crossing of pedestrians and workers of an adjacent development.



3.3 Construction Hours

To maintain public safety and access for Metro riders, construction should be planned, scheduled, and carried out in a way to avoid impacts to Metro service and maintenance. Metro may limit hours of construction which impact Metro ROW to night or off-peak hours so as not to interfere with Metro revenue service.

Recommendations: In addition to receiving necessary construction approvals from the local municipality, all construction work on or in close proximity to Metro ROW must be scheduled through the Track Allocation Process, detailed in Section 3.2.

Metro prefers that adjacent construction that has the potential to impact normal, continuous Metro operations take place during nonrevenue hours (approximately 1:00a.m.-4:00a.m.) or during non-peak hours to minimize impacts to service. The project sponsor may be responsible for additional operating costs resulting from disruption to normal Metro service.



Construction during approved hours ensures the steady progress of adjacent development construction as well as performance of Metro's transit service.

Additional Resources: Metro Adjacent Construction Design Manual MRDC, Section 10 – Operations Track Allocation



3.4 Excavation/Drilling Monitoring

Excavation is among the most hazardous construction activities and can pose threats to the structural integrity of Metro's transit infrastructure.

Recommendation: Excavation and shoring plans adjacent to the Metro ROW shall be reviewed and approved by Metro Engineering prior to commencing construction.

Geotechnical instrumentation and monitoring will be required for all excavations occurring within Metro's *geotechnical zone of influence*, where there is potential for adversely affecting the safe and efficient operation of transit vehicles. Monitoring of Metro facilities due to adjacent construction may include the following as determined on a case-by-case basis:

- Pre- and post-construction condition surveys
- Extensometers
- Inclinometers
- Settlement reference points
- Tilt-meters
- Groundwater observation wells
- Movement arrays
- Vibration monitoring



Rakers and tiebacks provide temporary support during construction.



A soldier pile wall supports adjacent land during construction.

Additional Resources: <u>Metro Adjacent Construction Design Manual</u> <u>MRDC, Section 3 – Civil</u> <u>MRDC, Section 5 – Structural/Geotechnical</u>



3.5 Crane Operations

Construction activities adjacent to Metro ROW will often require moving large, heavy loads of building materials and machinery by cranes. Cranes referred to in this section include all power operated equipment that can hoist, lower, and horizontally move a suspended load. There are significant safety issues to be considered for the operators of crane devices as well as Metro patrons and operators.

Recommendations: Per California Occupational Safety and Health Administration (Cal/OSHA) standards, cranes operated near the OCS must maintain a twenty (20) foot clearance from the OCS. In the event that a crane or its load needs to enter the 20-foot envelope, OCS lines must be de-energized.

Construction activities which involve swinging a crane and suspended loads over Metro facilities or bus passenger areas shall not be performed during revenue hours. The placement and swing of this equipment are subject to Metro review and possible work plan.



Construction adjacent to the Pico Rail Station in Downtown Los Angeles.



Construction adjacent to the Chinatown Rail Station.

Additional Resources: Metro Adjacent Construction Design Manual Cal/OSHA



3.6 Construction Barriers & Overhead Protection

During construction, falling objects can damage Metro facilities, and pose a safety concern to the patrons accessing them.

Recommendations: Vertical construction barriers and overhead protection compliant with Metro and Cal OSHA requirements shall be constructed to prevent objects from falling into the Metro ROW or areas designed for public access to Metro facilities. A protection barrier shall be constructed to cover the full height of an adjacent project and overhead protection from falling objects shall be provided over Metro ROW as necessary. Erection of the construction barriers and overhead protection for these areas shall be done during Metro non-revenue hours.



A construction barrier is built at the edge of the site to protect tracks from adjacent work.

Additional Resources: Metro Adjacent Construction Design Manual



3.7 Pedestrian & Emergency Access

Metro's ridership relies on the consistency and reliability of access and *wayfinding* to/from stations, stops, and facilities. Construction on adjacent developments must not obstruct fire department access, emergency egress, or otherwise present a safety hazard to Metro operations, its employees, patrons, and the general public. Fire access and safe escape routes within all Metro stations, stops, and facilities must be maintained.

Recommendations: The developer shall ensure pedestrian access to Metro stations, stops, and transit facilities is compliant with the Americans with Disabilities Act (ADA) and maintained during construction:

- Temporary fences, barricades, and lighting should be installed and watchmen provided for the protection of public travel, the construction site, adjacent public spaces, and existing Metro facilities.
- Temporary signage should be installed where necessary and in compliance with the latest California Manual on Uniform Traffic Control Devices and in coordination with Metro Art and Design Standards.
- Emergency exists shall be provided and be clear of obstructions at all times.
- Access shall be maintained for utilities such as fire hydrants, stand pipes/connections, and fire alarm boxes as well as Metrospecific infrastructure such as fan and vent shafts.



Sidewalk access is blocked for construction project, forcing pedestrians into street or to use less direct paths to the Metro facility.

Additional Resources:

California Manual on Uniform Traffic Control Devices Metro Adjacent Construction Design Manual Metro Signage Standards



3.8 Impacts to Bus Routes & Stops

During construction, bus stops and routes may need to be temporarily relocated. Metro needs to be informed of activities that require removal and/or relocation in order to ensure uninterrupted service.

Recommendations: During construction, existing bus stops must be maintained or relocated consistent with the needs of Metro Bus Operations. Design of temporary and permanent bus stops and surrounding sidewalk area must be ADA-compliant and allow passengers with disabilities a clear path of travel to the transit service. Metro Bus Operations Control Special Events and Metro Stops & Zones Department should be contacted at least 30 days in advance of initiating construction activities



Temporary and permanent relocation of bus stops and layover zones will require coordination between developers, Metro, and other municipal bus operators, and local jurisdictions.

Additional Resources: Metro Transit Service Policy MRDC, Section 3 – Civil



3.9 Utility Coordination

Construction has the potential to interrupt utilities that Metro relies on for safe operations and maintenance. Utilities of concern to Metro include but are not limited to: condenser water piping, potable/fire water, and storm and sanitary sewer lines, as well as electrical/telecommunication services.

Recommendations: Temporary and permanent utility impacts and relocation near Metro facilities should be addressed during project design and engineering to avoid conflicts during construction.

The contractor shall protect existing aboveground and underground Metro utilities during construction and coordinate with Metro to receive written approval for any utilities pertinent to Metro facilities that may be verified, used, interrupted, or disturbed.

When electrical power outages or support functions are required, the approval must be obtained through Metro Track Allocation.



Coordination of underground utilities is critical.

Additional Resources: Metro Adjacent Construction Design Manual



3.10 Air Quality & Ventilation Protection

Hot or foul air, fumes, smoke, steam, and dust from adjacent construction activities can negatively impact Metro facilities, service, and users.

Recommendation: Hot or foul air, fumes, smoke, and steam from adjacent facilities must not be discharged within 40 feet of existing Metro facilities, including but not limited to: ventilation system intake shafts or station entrances. Should fumes be discharged within 40 feet of Metro intake shafts, a protection panel around each shaft shall be required.



A worker breaks up concrete creating a cloud of silica dust.

Additional Resources: Metro Adjacent Construction Design Manual MRDC, Section 8 – Mechanical
Resources

The following provides Metro contact information and a list of programs, policies, and online resources that should be considered when planning projects within 100 feet of Metro ROW – including underground easements – and in close proximity to non-revenue transit facilities and property:



Metro encourages developers and municipalities to leverage digital resources and data sets to maximize opportunities inherent in transit adjacency.

Metro Adjacent Development Contact Information & Resources

Please direct any questions to the Metro Adjacent Development team at:

- 213-418-3484
- DevReview@metro.net

Metro Adjacent Development Review Webpage: https://www.metro.net/projects/devreview/

Metro Right-of-Way GIS Data

Metro maintains a technical resource website housing downloadable data sets and web services. Developers and municipalities should utilize available Metro right-of-way GIS data to appropriately plan and coordinate with Metro when proposing projects within 100' of Metro right-of-way: <u>https://developer.metro.net/portfolio-item/metro-right-of-way-gis-data/</u>

Metro Design Criteria & Standards

Metro standard documents are periodically updated and are available upon request:

- Metro Adjacent Construction Design Manual
- Metro Rail Design Criteria (MRDC)
- Metro Rail Directive Drawings
- Metro Rail Standard Drawings
- Metro Signage Standards

Metrolink Standards & Procedures

Engineering & Construction https://www.metrolinktrains.com/about/agency/engineering-construction/

Metro Policies & Plans

Active Transportation Strategic Plan, 2016 https://www.metro.net/projects/active-transportation-strategic-plan/

Complete Streets Policy, 2014 https://www.metro.net/projects/countywide-planning/metros-completestreets-policy-requirements/

Countywide Sustainability Planning Policy & Implementation Plan, 2012 https://media.metro.net/projects_studies/sustainability/images/countywid e_sustainability_planning_policy.pdf

First/Last Mile Strategic Plan, 2014 https://media.metro.net/docs/First_Last_Mile_Strategic_Plan.pdf

Transit Service Policy, 2015 https://media.metro.net/images/service_changes_transit_service_policy.p df



Major construction at the Metrolink San Bernardino Station.



Metro Complete Streets Policy

Resources



Metro Bike Hub at Los Angeles Union Station

Metro Programs & Toolkits

Bike Hub https://bikehub.com/metro/

Bike Share for Business https://bikeshare.metro.net/for-business/

Green Places Toolkit https://www.metro.net/interactives/greenplaces/index.html

Transit Oriented Communities https://www.metro.net/projects/transit-oriented-communities/

Transit Passes Annual and Business Access Passes https://www.metro.net/riding/eapp/

College/Vocational Monthly Pass https://www.metro.net/riding/fares/collegevocational/

Transit Supportive Planning Toolkit https://www.metro.net/projects/tod-toolkit/

Useful Policies & Resources

ADA Standards for Accessible Design, 2010 U.S. Department of Justice. https://www.ada.gov/2010ADAstandards_index.htm

California Manual on Uniform Traffic Control Devices. State of California Department of Transportation http://www.dot.ca.gov/trafficops/tcd/signcharts.html

California Occupational Safety and Health Administration (Cal/OSHA) State of California Department of Industrial Relations <u>http://www.dir.ca.gov/dosh/</u>



Glossary

Cone of Visibility – a conical space at the front of moving transit vehicles allowing for clear visibility of travel way and/or conflicts.

Construction Work Plan (CWP) – project management document outlining the definition of work tasks, choice of technology, estimation of required resources and duration of individual tasks, and identification of interactions among the different work tasks.

Flagger/Flagman – person who controls traffic on and through a construction project. Flaggers must be trained and certified by Metro Rail Operations prior to any work commencing in or adjacent to Metro ROW.

Geotechnical Foul Zone – area below a track-way as measured from a 45-degree angle from the edge of the rail track ballast.

Guideway – a channel, track, or structure along which a transit vehicle moves.

Heavy Rail Transit (HRT) – Metro HRT systems include exclusive ROW (mostly subway) trains up to six (6) cars long (450') and utilize a contact rail for traction power distribution (e.g. Metro Red Line).

Light Rail Transit (LRT) – Metro LRT systems include exclusive, semi-exclusive, or street ROW trains up to three (3) cars long (270') and utilize OCS for traction power distribution (e.g. Metro Blue Line).

Measure R – half-cent sales tax for Los Angeles County approved in November 2008 to finance new transportation projects and programs. The tax expires in 2039.

Measure M – half-cent sales tax for LA County approved in November 2016 to fund transportation improvements, operations and programs, and accelerate projects already in the pipeline. The tax will increase to one percent in 2039 when Measure R expires. **Metrolink** – a commuter rail system with seven lines throughout Los Angeles, Orange, Riverside, San Bernardino, Ventura, and North San Diego counties governed by the Southern California Regional Rail Authority.

Metro Adjacent Construction Design Manual – Volume III of the Metro Design Criteria & Standards which outlines the Metro adjacent development review procedure as well as operational requirements when constructing over, under, or adjacent to Metro facilities, structures, and property.

Metro Bus – Metro "Local" and "Rapid" bus service runs within the street, typically alongside vehicular traffic, though occasionally in "bus-only" lanes.

Metro Bus Rapid Transit (BRT) – high quality bus service that provides faster and convenient service through the use of dedicated ROW, branded vehicles and stations, high frequency and intelligent transportation systems, all door boarding, and intersection crossing priority. Metro BRT generally runs within the center of freeways and/or within dedicated corridors.

Metro Design Criteria and Standards – a compilation of documents that govern how Metro transit service and facilities are designed, constructed, operated, and maintained.

Metro Rail – urban rail system serving Los Angeles County consisting of six lines, including two subway lines (Red and Purple Lines) and four light rail lines (Blue, Green, Gold, and Expo Lines).

Metro Rail Design Criteria (MRDC) – Volume IV of the Metro Design Criteria & Standards which establishes design criteria for preliminary engineering and final design of a Metro Project.

Metro Transit Oriented Communities – land use planning and community development program that seeks to

maximize access to transportation as a key organizing principle and promote equity and sustainable living by offering a mix of uses close to transit to support households at all income levels, as well as building densities, parking policies, urban design elements and first/last mile facilities that support ridership and reduce auto dependency.

Noise Easement Deed – easement completed by property owners abutting Metro ROW acknowledging use and possible results of transit vehicle operation on the ROW.

Overhead Catenary System (OCS) – one or more electrified wires (or rails, particularly in tunnels) situated over a transit ROW that transmit power to light rail trains via pantograph, a current collector mounted on the roof of an electric vehicle. Metro OCS is supported by hollow poles placed between tracks or on the outer edge of parallel tracks.

Right of Entry Permit – written approval granted by Metro Real Estate to enter Metro ROW and property.

Right of Way (ROW) –the composite total requirement of all interests and uses of real property needed to construct, maintain, protect, and operate the transit system.

Southern California Regional Rail Authority (SCRRA) – a joint powers authority made up of an 11-member board representing the transportation commissions of Los Angeles, Orange, Riverside, San Bernardino and Ventura counties. SCRRA governs and operates Metrolink service.

Threat Assessment and Blast/Explosion Study – analysis performed when adjacent developments are proposed within twenty (20) feet from an existing Metro tunnel or facility.

Track Allocation/Work Permit – permit granted by Metro Rail Operations Control to allocate a section of track and perform work on Metro Rail ROW. This permit should be submitted for any work that could potentially foul the envelope of a train.

Wayfinding – signs, maps, and other graphic or audible methods used to convey location and directions to travelers.









GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of "Baseline Travel Data for CMP TIAs."

D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

- □ Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
- □ Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
- □ Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

- □ All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
- □ If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- □ Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
- □ Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).

D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

D.5.1 Existing Traffic Conditions. Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

D.5.2 Selection of Horizon Year and Background Traffic Growth. Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of <u>Trip</u> <u>Generation</u>, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

D.8.1 Intersection Level of Service Analysis. The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

- □ The Intersection Capacity Utilization (ICU) method as specified for CMP highway monitoring (see Appendix A); or
- □ The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

D.8.2 Arterial Segment Analysis. For TIAs involving arterial segment analysis, volume-tocapacity ratios must be calculated for each segment and LOS values assigned using the V/ C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels. **D.8.3 Freeway Segment (Mainline) Analysis.** For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.

D.8.4 Transit Impact Review. CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:

- **□** Evidence that affected transit operators received the Notice of Preparation.
- □ A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- □ Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both "peak hour" and "daily" refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- □ Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
 - Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
 - > For each time period, multiply the result by one of the following factors:

3.5% of Total Person Trips Generated for most cases, except:

- 10% primarily Residential within 1/4 mile of a CMP transit center
- 15% primarily Commercial within 1/4 mile of a CMP transit center
- 7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
- 9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
- 5% primarily Residential within 1/4 mile of a CMP transit corridor
- 7% primarily Commercial within 1/4 mile of a CMP transit corridor
- 0% if no fixed route transit services operate within one mile of the project

To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification*. For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

□ Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction's TDM Ordinance measures, but other project specific measures.

- □ Analysis of expected project impacts on current and future transit services and proposed project mitigation measures, and;
- □ Selection of final mitigation measures remains at the discretion of the local jurisdiction/lead agency. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the existing mitigation monitoring requirements of CEQA.

D.9 IDENTIFICATION AND EVALUATION OF MITIGATION

D.9.1 Criteria for Determining a Significant Impact. For purposes of the CMP, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity (V/C \ge 0.02), causing LOS F (V/C > 1.00); if the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity (V/C \ge 0.02). The lead agency may apply a more stringent criteria if desired.

D.9.2 Identification of Mitigation. Once the project has been determined to cause a significant impact, the lead agency must investigate measures which will mitigate the impact of the project. Mitigation measures proposed must clearly indicate the following:

- □ Cost estimates, indicating the fair share costs to mitigate the impact of the proposed project. If the improvement from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips.
- □ Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

D.9.3 Project Contribution to Planned Regional Improvements. If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

□ Any project contribution to the improvement, and

□ The means by which trips generated at the site will access the regional facility.

D.9.4 Transportation Demand Management (TDM). If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

D.10 REFERENCES

- 1. *Traffic Access and Impact Studies for Site Development: A Recommended Practice,* Institute of Transportation Engineers, 1991.
- 2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
- 3. *Travel Forecast Summary: 1987 Base Model Los Angeles Regional Transportation Study (LARTS)*, California State Department of Transportation (Caltrans), February 1990.
- 4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
- 5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
- 6. *Building Better Communities,* Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
- 7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
- 8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
- 9. *Encouraging Public Transportation Through Effective Land Use Actions*, Municipality of Metropolitan Seattle, May 1987.

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY Real Estate Department Deputy Executive Officer - Real Estate P: 213-922-2415 F: 213-922-2400 One Gateway Plaza, Mail Stop 99-18-4 Los Angeles, CA 90012-2932 Space Above Line for Recorder's Use

[Recordation of this Public Document is Exempt from all Recording Fees and Taxes Pursuant to Government Code Section 6103]

Public Agency - No Tax Statement

NOISE EASEMENT DEED

For valuable consideration, receipt of which is hereby acknowledged, **(Name of Owner)**, a for themselves, their heirs, administrators, executors,

Said easement shall encompass and cover the entirety of the Grantors' Property having the same boundaries as the described Property and extending from the subsurface upwards to the limits of the atmosphere of the earth, the right to cause in said easement area such noise, vibrations, fumes, dust, fuel particles, light, sonic disturbances, and all other effects that may be caused or may have been caused by the operation of public transit vehicles traveling along the Project right of way.

Grantor hereby waives all rights to protest, object to, make a claim or bring suit or action of any purpose, including or not limited to, property damage or personal injuries, against Grantee, its successors and assigns, for any necessary operating and maintenance activities and changes related to the Project which may conflict with Grantors' use of Grantors' property for residential and other purposes, and Grantors hereby grants an easement to the Grantee for such activities.

The granting of said Easement shall also establish the Grantors' right to further modify or develop the Property for any permitted use. However, Grantor's rights of development shall not interfere with the continued operation of Grantee's Project.

It is understood and agreed that these covenants and agreements shall be permanent, perpetual, will run with the land and that notice shall be made to and shall be binding upon all heirs, administrators, executors, successors, assigns, tenants and lessees of the Grantor. The Grantee is hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the undersigned has caused its/their signature to be affixed this day of _____, 20____

Ву: _____ _____

Name

By: _____ Name

(ATTACH NOTARY SEAL AND CERTIFICATE HERE.)

Manatatatatatatatatatatatatatatatatatata	
A notary public or other officer completing this certific document to which this certificate is attached, and not	cate verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.
State of California))
County of))
On before me.	
Date	Here Insert Name and Title of the Officer
personally appeared	
	Name(s) of Signer(s)
who proved to me on the basis of satisfactory subscribed to the within instrument and acknow his/her/their authorized capacity(ies), and that by h or the entity upon behalf of which the person(s) a	y evidence to be the person(s) whose name(s) is/a wledged to me that he/she/they executed the same his/her/their signature(s) on the instrument the person(s acted, executed the instrument.
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CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in the real property conveyed by the foregoing Grant Deed from ______, a California Limited Partnership, ("Grantor") to LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public agency existing under the authority of the laws of the State of California ("LACMTA"), is hereby accepted by the undersigned on behalf of the LACMTA pursuant to authority conferred by resolution of the Board of Directors of the LACMTA, and the Grantee hereby consents to the recordation of this Deed by its duly authorized officer.

Dated this _____ day of _____, 20___

By:

Velma C. Marshall Deputy Executive Officer - Real Estate



Los Angeles County Metropolitan Transportation Authority One Gateway Plaza Los Angeles, CA 90012-2952 213.922.2000 Tel metro.net

Congestion Management Program

Metro must notify the Project Sponsor of state requirements. A Transportation Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County," Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

- 1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed Project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic).
- 2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed Project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- 3. Mainline freeway-monitoring locations where the Project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.
- 4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

If you have any questions, please contact David Lor by phone at 213-922-2883, by email at lord@metro.net, or by mail at the following address:

Metro Development Review One Gateway Plaza MS 99-22-3 Los Angeles, CA 90012-2952

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE:	March 28, 2019
TO:	Vincent P. Bertoni, Director of Planning Department of City Planning
Attn:	Kathleen King, Planning Assistant Department of City Planning
FROM:	Ali Poosti, Division Manager Wastewater Engineering Services Division LA Sanitation and Environment
CYUD IE CT	AND NEGT AND DECEMBER NOTICE OF CON

SUBJECT: 222 WEST 2ND PROJECT- NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT

This is in response to your March 21, 2019 letter requesting a review of the proposed mixed-use project located at 213 S Spring St, 200-210 S Broadway, and 232-238 W 2nd St, Los Angeles, CA 90012. The project will consist of residential units, commercial space, and office space. LA Sanitation has conducted a preliminary evaluation of the potential impacts to the wastewater and stormwater systems for the proposed project.

WASTEWATER REQUIREMENT

LA Sanitation, Wastewater Engineering Services Division (WESD) is charged with the task of evaluating the local sewer conditions and to determine if available wastewater capacity exists for future developments. The evaluation will determine cumulative sewer impacts and guide the planning process for any future sewer improvement projects needed to provide future capacity as the City grows and develops.

Type Description	Average Daily Flow per Type Description (GPD/UNIT)	Proposed No. of Units	Average Daily Flow (GPD)
Proposed			
Residential: Studio	75 GPD	12 DU	900
Residential: 1-BDRM	110 GPD	42 DU	4,620
Residential: 2-BDRMS	150 GPD	40 DU	6,000
Residential: 3-BDRMS	190 GPD	13 DU	2,470
Commercial Use	50 GPD/1000 SQ.FT	7,200 SQ.FT	360
Office	120 GPD/1000 SQ.FT	534,044 SQ.FT	64,085
	78,435		

Projected Wastewater Discharges for the Proposed Project:

SEWER AVAILABILITY

The sewer infrastructure in the vicinity of the proposed project includes an existing 8-inch line on 2^{nd} St. The sewage from the existing 8-inch line feeds into a 27-inch line on Spring St before

222 West 2nd Project - NOC & NOA of dEIR.doc March 28, 2019 Page 2 of 4

discharging into a 36-inch sewer line on Spring St. Figure 1 shows the details of the sewer system within the vicinity of the project. The current flow level (d/D) in the some lines cannot be determined at this time without additional gauging.

The current approximate flow level (d/D) and the design capacities at d/D of 50% in the sewer system are as follows:

Pipe Diameter (in)	Pipe Location	Current Gauging d/D (%)	50% Design Capacity
8	W 2 nd St.	*	177,633 GPD
18	Spring St.	*	3.38 MGD
24	Spring St.	*	8.20 MGD
.27	Spring St.	*	8.91 MGD
36	Spring St.	7	33.73 MGD

* No gauging available

Based on the estimated flows, it appears the sewer system might be able to accommodate the total flow for your proposed project. Further detailed gauging and evaluation will be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. Any sewer ejector shall be reviewed by LASAN staff prior to City of Los Angeles Department of Building and Safety (LADBS) approval. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Water Reclamation Plant, which has sufficient capacity for the project.

If you have any questions, please call Christopher DeMonbrun at (323) 342-1567 or email at chris.demonbrun@lacity.org.

STORMWATER REQUIREMENTS

LA Sanitation, Watershed Protection Program (WPP) is charged with the task of ensuring the implementation of the Municipal Stormwater Permit requirements within the City of Los Angeles. We anticipate the following requirements would apply for this project.

POST-CONSTRUCTION MITIGATION REQUIREMENTS

In accordance with the Municipal Separate Storm Sewer (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (Order No. R4-2012-0175, NPDES No. CAS004001) and the City of Los Angeles Stormwater and Urban Runoff Pollution Control requirements (Chapter VI, Article 4.4, of the Los Angeles Municipal Code), the Project shall comply with all mandatory provisions to the Stormwater Pollution Control Measures for Development Planning (LID Ordinance) and as it may be subsequently amended or modified. Prior to issuance of grading or building permits, the Applicant shall submit a LID Plan to the City of Los Angeles, Bureau of Sanitation, Watershed Protection Division (WPD), for review and approval. The LID Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.

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Current regulations prioritize infiltration, capture/use, and then biofiltration as the preferred stormwater control measures. The relevant documents can be found at: www.lacitysan.org. It is advised that input regarding LID requirements be received in the early phases of the project from WPD's plan-checking staff.

GREEN STREETS

The City is developing a Green Street Initiative that will require projects to implement Green Street elements in the parkway areas between the roadway and sidewalk of the public right-ofaway to capture and retain stormwater and urban runoff to mitigate the impact of stormwater runoff and other environmental concerns. The goals of the Green Street elements are to improve the water quality of stormwater runoff, recharge local ground water basins, improve air quality, reduce the heat island effect of street pavement, enhance pedestrian use of sidewalks, and encourage alternate means of transportation. The Green Street elements may include infiltration systems, biofiltration swales, and permeable pavements where stormwater can be easily directed from the streets into the parkways and can be implemented in conjunction with the LID found requirements. Green Street standard plans can be at: www.eng2.lacity.org/techdocs/stdplans/

CONSTRUCTION REQUIREMENTS

All construction sites are required to implement a minimum set of BMPs for erosion control, sediment control, non-stormwater management, and waste management. In addition, construction sites with active grading permits are required to prepare and implement a Wet Weather Erosion Control Plan during the rainy season between October 1 and April 15. Additionally, construction sites that disturb more than one-acre of land are subject to the NPDES Construction General Permit issued by the State of California, and are required to prepare, submit, and implement the Storm Water Pollution Prevention Plan (SWPPP).

If there are questions regarding the stormwater requirements, please call WPP's plan-checking counter at (213) 482-7066. WPD's plan-checking counter can also be visited at 201 N. Figueroa, 3rd Fl, Station 18.

GROUNDWATER DEWATERING REUSE OPTIONS

The Los Angeles Department of Water and Power (LADWP) is charged with the task of supplying water and power to the residents and businesses in the City of Los Angeles. One of the sources of water includes groundwater. The majority of groundwater in the City of Los Angeles is adjudicated, and the rights of which are owned and managed by various parties. Extraction of groundwater within the City from any depth by law requires metering and regular reporting to the appropriate Court-appointed Watermaster. LADWP facilitates this reporting process, and may assess and collect associated fees for the usage of the City's water rights. The party performing the dewatering should inform the property owners about the reporting requirement and associated usage fees.

On April 22, 2016 the City of Los Angeles Council passed Ordinance 184248 amending the City of Los Angeles Building Code, requiring developers to consider beneficial reuse of groundwater

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as a conservation measure and alternative to the common practice of discharging groundwater to the storm drain (SEC. 99.04.305.4). It reads as follows: "Where groundwater is being extracted and discharged, a system for onsite reuse of the groundwater, shall be developed and constructed. Alternatively, the groundwater may be discharged to the sewer."

Groundwater may be beneficially used as landscape irrigation, cooling tower make-up, and construction (dust control, concrete mixing, soil compaction, etc.). Different applications may require various levels of treatment ranging from chemical additives to filtration systems. When onsite reuse is not available the groundwater may be discharged to the sewer system. This allows the water to be potentially reused as recycled water once it has been treated at a water reclamation plant. If groundwater is discharged into the storm drain it offers no potential for reuse. The onsite beneficial reuse of groundwater can reduce or eliminate costs associated with sewer and storm drain permitting and monitoring. Opting for onsite reuse or discharge to the sewer system are the preferred methods for disposing of groundwater.

To help offset costs of water conservation and reuse systems, LADWP offers the Technical Assistance Program (TAP), which provides engineering and technical assistance for qualified projects. Financial incentives are also available. Currently, LADWP provides an incentive of \$1.75 for every 1,000 gallons of water saved during the first two years of a five-year conservation project. Conservation projects that last 10 years are eligible to receive the incentive during the first four years. Other water conservation assistance programs may be available from Metropolitan Water District of Southern California. To learn more about available water conservation assistance programs, please contact LADWP Rebate Programs 1-888-376-3314 and LADWP TAP 1-800-544-4498, selection "3".

For more information related to beneficial reuse of groundwater, please contact Greg Reed, Manager of Water Rights and Groundwater Management, at (213)367-2117 or greg.reed@ladwp.com.

SOLID RESOURCE REQUIREMENTS

The City has a standard requirement that applies to all proposed residential developments of four or more units or where the addition of floor areas is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more. Such developments must set aside a recycling area or room for onsite recycling activities. For more details of this requirement, please contact LA Sanitation Solid Resources Recycling hotline 213-922-8300.

CD/AP:sa

Attachment: Figure 1 - Sewer Map

c: Kosta Kaporis, LASAN Cyrous Gilani, LASAN Christopher DeMonbrun, LASAN



Thomas Brother Data reproduced with permission granted by THOMAS BROS MAP

DANIEL L. CARDOZO CHRISTINA M. CARO YAIR CHAVER SARA F. DUDLEY THOMAS A. ENSLOW TANYA A GULESSERIAN KYLE C. JONES RACHAEL E. KOSS NIRIT LOTAN MILES F. MAURINO

> MARC D. JOSEPH Of Counsel

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

601 GATEWAY BOULEVARD, SUITE 1000 South San Francisco, Ca 94080-7037

> TEL: (650) 589-1660 FAX: (650) 589-5062 ssannadan@adamsbroadwell.com

> > March 25, 2019

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350 SACRAMENTO, CA 95814-4721 TEL: (916) 444-6201 FAX: (916) 444-6209

VIA EMAIL AND U.S. MAIL

Kathleen King, City Planning Associate Los Angeles Department of City Planning 221 N. Figueroa Street, Suite 1350 Los Angeles, CA 90012 Email: <u>kathleen.king@lacity.org</u>

Re: <u>Request for Immediate Access to Documents Referenced in</u> <u>the Draft Environmental Impact Report – 222 West 2nd Project</u> (ENV-2016-3809-EIR; CPC-2016-3808-VZC-CDO-SPR; VTT-7432) (SCH No. 2017011062)

Dear Ms. King:

We are writing on behalf of Coalition for Responsible Equitable Economic Development ("CREED LA") to request *immediate access* to any and all documents referenced or relied upon in the Draft Environmental Impact Report ("DEIR") prepared for the 222 West 2nd Project (ENV-2016-3809-EIR; CPC-2016-3808-VZC-CDO-SPR; VTT-7432) (SCH No. 2017011062) ("Project"), proposed by CAT-LATS South, LLC. This request excludes any documents that are otherwise available on the City of Los Angeles website.¹

The proposed Project includes development of a 30-story mixed-use building consisting of 107 residential units (comprising an estimated 137,347 square feet), 7,200 square feet of ground level commercial retail uses, and 534,044 square feet of office uses in Downtown Los Angeles. The 2.71 acre Project Site consists of six parcels (APN 5149-008-029, -087, -088, -089, -907, -908) located at the 213 South Spring Street, 200-210 South Broadway, and 232-238 West 2nd Street. The Project site is the future site of the Los Angeles County Metropolitan Transportation Authority Regional Connector 2nd Street/Broadway rail station and portal.

¹ <u>https://planning.lacity.org;</u> accessed March 25, 2019 L4595-001

March 25, 2019 Page 2

Our request for all documents referenced or relied upon in the DEIR is made pursuant to the California Environmental Quality Act ("CEQA"), which requires that all documents referenced in an environmental review document be made available to the public for the entire comment period.²

Pursuant to Government Code section 6253.9, if the requested documents are in electronic format and are 10 MB or less (or can be easily broken into chunks of 10 MB or less), please email them to <u>ssannadan@adamsbroadwell.com</u> as attachments. If any of the requested items are available on the Internet, we request that the City direct us to the appropriate electronic link(s) for accessing the documents.

I will be calling you to arrange for duplication/transmission of the documents. If you have any questions, please call me at (650) 589-1660. Thank you for your assistance with this matter.

Sincerely,

Relande

Sheila M. Sannadan Legal Assistant

CC: Beatrice Pacheco, Chief Clerk Email: <u>beatrice.pacheco@lacity.org</u>

SMS:acp

² See Pub. Resources Code, § 21092, subd. (b)(1); 14 Cal. Code Reg. § 15087, subd. (c)(5). L4595-001

GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION



Historically known as The San Gabriel Band of Mission Indians / Gabrielino Tribal Council recognized by the State of California as the aboriginal tribe of the Los Angeles basin

City of Los Angeles 221 North Figueroa St. Suite 1350 CA, 90012

April 12, 2019

Re: AB52 Consultation request for the 222 West 2nd Project

Dear Kathleen King,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission (NAHC), ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. For this reason, the NAHC will always refer the lead agency to the respective Native American Tribe of the area. The NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and can provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area.

Additionally, CEQA now defines Tribal Cultural Resources (TCRs) as their own independent element separate from archaeological resources. Environmental documents shall now address a separate Tribal Cultural Resource section which includes a thorough analysis of the impacts to only Tribal Cultural Resources (TCRs) and includes independent mitigation measures created with Tribal input during AB-52 consultations. As a result, all mitigation measures, conditions of approval and agreements regarding TCRs (i.e. prehistoric resources) shall be handled solely with the Tribal Government and not through an Environmental/Archaeological firm.

In effort to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 910 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email admin@gabrielenoindians.org to schedule an appointment.

** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view their videos at: http://calepa.ca.gov/Tribal/Training/ or http://nahc.ca.gov/2015/12/ab-52-tribal-training/

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman Albert Perez, treasurer |

Nadine Salas, Vice-Chairman Martha Gonzalez Lemos, treasurer || POBox 393, Covina, CA 91723 www.gabrielenoindians.org Christina Swindall Martinez, secretary Richard Gradias, Chairman of the Council of Elders gabrielenoindians@yahoo.com



Kathleen King <kathleen.king@lacity.org>

PUBLIC COMMENTS DRAFT EIR 222 WEST 2ND PROJECT (ENV-2016-3809-EIR)

1 message

cheryl younger/allan harris <cheryl.younger@yahoo.com> Reply-To: cheryl younger/allan harris <cheryl.younger@yahoo.com> To: Kathleen King <kathleen.king@lacity.org> Mon, May 6, 2019 at 7:18 AM

Dear Ms. King,

Attached are the public comments for me, my wife, Cheryl Younger, and the Higgins Loft Neighborhood Impact Committee.

Thank you for your consideration.

Allan Harris,

Chair, Higgins Loft Neighborhood Impact committee

 Cheryl Younger and Allan Harris

 Cheryl's USA Cell (001) 1 (212) 203 9645
 Allan's USA Cell (001) 1 (212) 966 4035
 Skype # (646) 233 3270

cheryl.younger@yahoo.com

Home:

LA 108 W 2ND ST #1002 Los Angeles, CA 90012 NYC 35 Mercer Street 3A New York, NY 10013

DRAFT EIR COMMENTS 222 2ND PROJECT.docx 197K

ALLAN M. HARRIS, ESQ. CHERYL YOUNGER 108 WEST 2nd STREET #1002 LOS ANGELES, CA 90012 212-966-4035

DEPARTMENT OF CITY PLANNING Kathleen King City Planner 221 North Figueroa Street, Suite 1350 Los Angeles, CA 90012

RE: CASE NO. ENV-2016-3809-EIR 222 WEST 2ND PROJECT PUBLIC COMMENTS

May 6, 2019

Dear Ms. King:

We are residents of the Higgins Building which is one block east from the Applicant at 108 West 2nd Street in Los Angeles. This is a condominium building consisting of 135 residential units and 7 commercial units. We are a historic monument of the City of Los Angeles and have filed with the United States Department of Interior to be enrolled on the National Register of Historic Places. I am also Chair of the Higgins Loft Neighborhood Impact Committee, a standing committee of the Higgins Loft HOA.

This letter represents the public comments on the above noted Draft EIR both for my wife and me, individually, and as representing the Higgins Loft Neighborhood Impact Committee.

POINT ONE

THE DRAFT EIR FAILS TO CONSIDER THE SUBSTANTIAL ADVERSE IMPACT ON THE VIEW SHED OF LOS ANGELES CITY HALL, A HISTORIC RESOURCE OF LOS ANGELES.

A Draft EIR under the California CEQA is prepared by the applicant for approval of a major construction project in downtown Los Angeles. As such it cannot be seen as an objective view of its subject matter, but rather as a product of advocacy for a client's goal, completion of a substantial 30 story mixed use residential and commercial building in downtown Los Angeles, one block south of City Hall.

In the compendium of letters from the public commenting on the desirability of the project, no less than eight letters present concern that the 30 story project would degrade the architectural and historic importance of City Hall. (App. A.3). The EIR recognizes that "Aesthetics" and "Historic Resources" for the project are controversial areas of concern. (See D I-15) A schematic drawing with a photograph of City Hall lists it as an "iconic Building": "the project site anchors the Broadway Theater and Entertainment District and is at the intersection of several iconic buildings including *City Hall* and the original LA times Building." (App.C-1, App. B, P.5).

And yet given the strong public concern about protecting City Hall as a Historic resource, and its obvious status to the applicant as an Iconic building worthy of placement in a graphic presentation of Iconic Buildings, the Draft EIR contains no reference whatsoever to City Hall having any significance in considering adverse impacts of construction of the project.

This ghosting of City Hall, if you will, is accomplished in this fashion:

A. Incorrectly stating the effects of SB 743 on the project.

The Draft EIR states: "per SB 743 and ZI No. 2452, visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact, defined in the *LA CEQA thresholds Guide, shall not be considered* an impact for such projects. Therefore, the analysis herein is provided for informational purposes only...." (D IV A-2) With one swift stroke of the pen, the applicant writes out any consideration of aesthetic or view shed issues.

Fortunately for protectors of City Hall, this is not the law. In Los Angeles, pursuant to zoning commentary on the subject, ZI 2452, cited by applicant as supporting this position, (See D I-15) the City has stated: "Also note that the limitation of aesthetic impacts pursuant to sec. 21099 of the PRC does not include impacts to historic or cultural resources, impacts to historic or cultural resources will need to be evaluated pursuant to CEQA regardless of project location."

Accordingly, despite the conclusions of the Draft EIR, aesthetic and view concerns for adverse effects on City Hall are a very important part of the public environmental inquiry and legally have to be considered.

B. The methodology of the Historic Resources Report was performed in such a manner as to exclude any consideration of effects on City Hall.

In Appendix C, Cultural Resources Report, the review to determine potential impacts on historic resources was performed in this manner:

"For the purposes of this report, the study area was identified as the project site and a one-block radius...this radius was established to account for indirect impacts on historical resources in the vicinity. Historical resources beyond this radius were not included in the study area because the Project would have no potential to indirectly impact these resources." (App. C, P. 2)

No learned explanation is given to explain why the reviewer elected to limit the analysis to a small one block radius. If you limit the scope of the inquiry, you limit your exposure and by limiting the review to one block you exclude any consideration of any effects on City Hall.

Given the demonstrated public concern for City Hall, as noted above, one could argue that this omission was intentional to avoid addressing the issue.

The Draft EIR is remiss in that it failed to conduct a Historic Resource Review more relevant to the historic structures in the immediate vicinity of the Project in terms of it scope.

C. The Project will have a substantial adverse environmental effect on the view shed of City Hall.

As noted in the Los Angeles Conservancy website:

"Los Angeles City Hall was completed in 1928, its towering three-tiered form embodying all the energy and ambition of its day. Now seismically stabilized and restored to its original splendor, City Hall stands both as a monument to the era of its creation and as an example of architectural preservation at its best.

City Hall is arguably the city's most widely recognized landmark and is featured on all official City documents, from commendations to business licenses. The versatility of the building's eclectic styling has long made it a popular location for film and television productions."

The height of City Hall is 453 feet and 28 stories and the Project is 449 feet and 30 stories, about the same height.

It is a Historic Cultural Monument of the the City of Los Angeles.

At a community meeting related to the city's development of Design Guidelines for the New Civic Center held at the Japanese-American Cultural and Community Center on February 13, 2019, the city advised by the architectural firm of Perkins and Wills noted publicly as a Master Development plan criteria: *"Preserve view of City Hall."* (Personal observation of author). The concern for preserving and protecting the public view of City Hall is not a romantic exercise in futility. As the city's most widely recognized landmark, its beauty, architectural and aesthetic placement, and status in our history and culture, should be protected and preserved. Placing a modern asymmetrical building of equal height, a block and a half away will obscure its uniqueness and beauty. It will violate the city's architect's concerns to "preserve (the) view of City Hall"

"...We further conclude it is inherent in the meaning of the word 'aesthetic 'that any substantial, negative effect of a project on view and other features of beauty could constitute a 'significant' environmental impact under CEQA." *Quail Botanical Gardens v. Encinitas*, 35 Cal. Rptr.2d 470, 475 (Cal.App. 4 Dist 1994). Accord. *Mira Mar Mobile Community v. Oceanside*, 14 Cal. Rptr. 3d 308, 317 (Cal. App. 4 Dist. 2004); *Ocean View v. Montecito*, 10 Cal.Rptr. 3d 451, 454 (Cal. App. 2 Dist. 2004).

Based upon the above discussion, not only does the Draft EIR fail to consider the environmental impact of the Project on City Hall as a historic resource of Los Angeles, but the modern asymmetrical 30 story building will have a substantial negative impact on the view shed which requires mitigation.

POINT TWO

THE DRAFT EIR FAILS TO CONSIDER THE SUBSTANTIAL ADVERSE IMPACT ON THE SKYLINE OF LOS ANGELES, A HISTORIC RESOURCE.

As noted in Point One, historic and cultural resources are excluded from the prohibition of considering aesthetics in the context of an EIR pursuant to ZI 2452. The overall skyline of Los Angeles is a historic resource which must be considered in the context of an EIR. The Draft EIR contains no mention of this concern.

Relative to this inquiry, a review of the buildings in the immediate area is relevant. (this is taken from a letter sent by the undersigned about the project to the Department of City Planning on February 24, 2017) (See App. A-3).

"The Project Site is surrounded by a mix of commercial office, government and civic office, retail, and residential uses contained in a range of low-rise to highrise buildings, which are physically separated from the Project Site by local roadways. Immediately to the west is an existing surface parking lot and 10story office building fronting Broadway. To the immediate north across 2nd Street is Los Angeles Times Square, which includes an 11-story office building and a six-level parking structure fronting 2nd Street. East of the Project Site across Spring Street are single-story commercial buildings and a six-level parking structure. To the south is a surface parking lot and six-story apartment building (Hosfield Building) fronting Broadway, as well as a surface parking lot and five-story apartment building (Douglas Building Lofts) fronting Spring Street.

The Project Site lies at the northern end of the Broadway Theater and Entertainment District Community Design Overlay (CDO) area, where development is encouraged to reflect the overall vision of a cohesive, pedestrian-friendly, and vibrant entertainment, commercial, and mixed-use district. The immediate area is defined by several iconic buildings, both old and new, including the Bradbury Building to the south, the Los Angeles Times buildings and City Hall to the north, the new 11-story U.S. Federal courthouse on Broadway between 1st and 2nd Streets, the 10-story Los Angeles Police Department (LAPD) Headquarters, and the 15-story Caltrans buildings to the north and east, respectively. Residential uses in the Project vicinity include the 50-unit Douglas Building Lofts (5 story) at 257 South Spring Street, the 142-unit Higgins Building Lofts (10 story) at 108 West 2nd Street, and the seven-story, 40unit Pan American Lofts (6 story) at 253 South Broadway."

Accordingly, in the immediate area, none of the buildings with the exception of City Hall exceeds 15 stories, and the majority of them are much shorter.

The Draft EIR further describes the area as:

"The highest concentration of high-rise buildings in downtown is located approximately three blocks west of the Project site, and many other high-rise structures are located throughout the Downtown area...." (App. A-43).

The concentration referred to above, are the buildings on Grand Avenue, where the higher construction is separated from the area around the Project by the natural elevation of Bunker Hill.

The most eloquent spokesperson for the issue of skyline degradation is the aerial photograph of the area taken from the east with a view west. (D IV-P.44) This shows, with the exception of the Project, that the vast area around the building is lower rise and consequently, the skyline rises in South Park and sweeps through the financial district and ends on Grand Avenue. The terminus of the skyline is the iconic City Hall. This majestic building justifiably stands by itself at the end of the skyline to the North. The low rise of the skyline in the immediate area will be broken by the out of scale 30 story building described as marring the skyline like sticking up like a "square, sore thumb." (App.A-3) Resident, Cheryl Younger, February 22, 2017.

It is submitted that the skyline of Los Angeles as affected by the Project is a historic resource that must be considered in the draft EIR. It was not.

The observations of local residents in the Higgins Building impacted by the Project illuminates the Problem:

"It takes away from the view of our skyline, diminishes our landmark buildings...." (Id.)"

"Also, the area is historic and gorgeous. Many are drawn to the area because of the aesthetic, the less crowded skyline, parks and the general existing environment of the community. This modern 30 story building would disrupt the scale of the buildings in the surrounding neighborhood and be a detrimental addition to the DTLA skyline in its design...." (App. A-3) Resident, Renee Mytar, February 23, 2017.

"To place a 30 story building on this particular block feels absurd and extreme and out of character. It will affect the skyline and draw attention to itself, and away from the buildings in its area...." (App. A-3) Residents, Joan and Jeff Beal, February 27, 2017.

Not only was the impact of the Project on the Los Angeles City Skyline, as a historic resource not considered in the draft EIR, but the erection of this outsize 30 story modern building in a low rise neighborhood will have a substantial negative impact on this historic resource, the Los Angeles City Skyline, which requires mitigation.

This can be seen not only in the aerial photograph, noted above, but in the recent photograph of the skyline taken from the roof of the Higgins Building. (Appendix A to this letter.) The open area to the right with the crane is where the 30 story building will be erected. The building behind the crane on Broadway is a 10 story building. One can envision the impact on the skyline by mentally increasing the size of this building by a factor of 3. (30 stories).

POINT THREE

The draft EIR does not support consistency with the relevant Broadway Theater and Entertainment District Design Guidelines.

A. Guideline 1. As noted in reviewing the compliance of the Project with the Broadway Theater and Entertainment District Design Guide, The Draft EIR claims it is consistent with Guideline 1. Guideline 1 states: "pursue creative and
innovative contemporary designs that will complement Broadway's designated National Register Historic District." (App. E-1, P. 3)

In asserting consistency with this guideline, the Draft EIR's analysis of consistency states: "While the project would be differentiated from the older and historic buildings along Broadway, it would be compatible in scale and massing to the surrounding high-density urban uses and would complement the aesthetic character of the Downtown area." (Id.)

This misstates the criteria of the guideline. It is not compatibility with" scale and massing to the surrounding high density urban area uses...." It is compatibility with the "Broadway's designated National Register Historic District."

This failure of support is supported by the report of the the Project's own, Architectural Historian, Teresa Grimes, in Appendix C, the Cultural Resource Report:

"While the building size and scale would be different than that of the historic buildings...." (App. C, P.25).

"While the new building's materials and features cannot necessarily be characterized as compatible with the historic buildings...." (App. C, P. 26.)

"While the proposed building would be taller than the existing buildings on the immediately adjacent parcels...." Proponents analysis of project consistency at Appendix E-1, page 5.

While aesthetic judgments are often difficult because of their inherent subjectivity, there are comparisons that are not subject to dispute as with comparing the size, mass and design of the proposed building with the existing Broadway National Register Historic District. There are no thirty story buildings within the district or ones that are even close in height. As to the building design, unsynchronized stacked cubes are an architectural anomaly and out of context with the neighborhood. Add the pinnacle of the bronze colored upper structure, as per the photograph in D IV-44, Figure IV-47, and more particularly the artistic rendering in the Cultural Resource Report, p. 24, and one can see visually how the proposed building is completely nonconforming to the Broadway Theater Design District. There is no building in the Broadway Theater Design District that looks remotely similar to the proposed building. (a Higgins resident has referred to the building on Facebook as the "Lego Building"). Trying to relate this design to the historic elements of the district is aesthetic advocacy using a shoehorn. It simply does not fit.

Arguments about the cube stacking construction making the building more like a "mid-rise building" are illogical in terms of consistency with the Broadway Zone. "Furthermore, the volumes that make up the project do not exceed eight stories in height and are as short as four stories, each shifting in set back—almost as if it were an asymmetrical, vertical composition of mid-rise buildings. Thus, the design of the proposed building is responsive to the height and massing of the buildings that surround it." (D IV, C-35)

Why this is illogical is if you divide a 30 story building into cubes, it is still a 30 story building, albeit one that is further non-conforming because it is asymmetrical.

Accordingly, the Draft EIR is incorrect in claiming that it is consistent with complementing the Broadway National Historic District in Guideline 1.

B. Guideline 6. "Building massing of new buildings should complement the existing urban form and the prevailing height of existing buildings while considering light, shadows, views, etc." (App. E-1, P.5). Broadway Theater and Entertainment District Design Guide.

The argument for consistency with Guideline 6, is inaccurate. The Draft EIR states:

"Consistent. See Guideline 1 above. While the proposed building would be taller than existing buildings on the immediately adjacent parcels, the scale and height of the Project would be consistent with overall development within the surrounding area and Downtown Los Angeles as a whole."

Note that "overall development within the surrounding area" is not defined nor is what is meant by "Downtown Los Angeles as a whole." Consequently, the conclusion is meaningless. Also, consider this comment from the Draft EIR, conceding the argument "that the building massing complements existing form and height.":

"While the building size and scale would be different than that of the historic buildings...." (App. C, P.25).

Since the Broadway Theater and Entertainment District Design Guide deals with a defined area in downtown Los Angeles, the subject matter of the guideline relates to the Broadway Theater District and the effect of building massing. Again consistency with the Guideline 6, is not met, because the 30 story stacked cube asymmetrical building is too large and incongruous in design to complement the existing structures in the Broadway Theater District. C. Guideline 11. Also the Project fails to comply with Guideline 11. This guideline states: "The texture of the building facades should be complementary to other buildings in the surrounding area..." (App. E, P.7).

The Draft EIR argument for consistency with guideline 11 is "...While the project would incorporate a contemporary aesthetic, the façade, materials and colors would generally be consistent with and complement the overall urban fabric in the area...." (Id.)

The phrase "be consistent with and complement the overall urban fabric in the area", upon closer analysis is vague and meaningless. At page 26, of the Cultural Resources Report, the report contradicts this conclusion stating: "While the buildings materials and features cannot necessarily be characterized as compatible with the historic buildings, …"

The Broadway Theater and Entertainment District Design Guide, deals with a defined historic area. If the building materials and features are not compatible with the historic buildings, how can they be complementary to the other buildings in the area?

This lack of façade compatibility is repeated in the reports comments about compliance with the Secretary of the Interiors standard #9 for registered historic buildings. This standard states in part:

...The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment." (IV C- 34).

On the next page the discussion about the façade is illustrative as it relates to Broadway Theater District Design Guideline 11:

"Primary façade materials for the proposed building would include glass and various types of metal panels such as anodized aluminum, stainless steel, or bronze-colored metal, bringing lightness to its height and massing. While the proposed building's materials and features cannot necessarily be characterized as compatible with the historic buildings...." (IV C-35)

If they are not compatible with the historic buildings, which is what the Broadway Theater District is, a historic area, how can they meet the guidelines test, "that they be complementary to other buildings in the surrounding area."

How is anodized aluminum, stainless steel and bronze color metal, which exits in in no other building in the district "consistent, and complementary" with the zone? The vague and unsupported conclusions of the report in academic architectural doublespeak, do not support the conclusion of compliance. If

anything, the facts about the façade design lead to the conclusion of lack of consistency.

Overall, the Draft EIR demonstrates a woeful lack of consistency with the most important guidelines of the Broadway Theater and Entertainment Design Guide.

POINT FOUR

BECAUSE OF THE ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS IF THE TIMES MIRROR SQUARE PROJECT (RELATED PROJECT 121) IS COMPLETED AND OCCUPIED BEFORE OR DURING CONSTRUCTION, THE TIMES MIRROR SQUARE PROJECT SHOULD BE DELAYED UNTIL AFTER COMPLETION OF THE 222 WEST 2nd street PROJECT.

There is a related project denominated the Times Mirror Square Project (Related Project 121) scheduled to be constructed at the same time as the Project. It consists of two towers, 37 and 53 stories on the lot just north of the subject premises. The Los Angeles Department of City Planning Notice of Completion and Availability relating to this review of the Draft EIR notes as an "Anticipated Significant Environmental Effect:"

"Based on the analysis provided in the Draft EIR, the Project would result in significant and unavoidable impacts related to: on-site construction noise, onand off-site construction vibration (related to human annoyance), and intersection levels of service during operations; as well as cumulative impacts with respect to on-and off-site construction noise and off-site vibration (related to human annoyance.) The Projects on-site construction noise impact and onsite construction vibration impact (with respect to human annoyance) would only be significant and unavoidable if the proposed Times Mirror Square Project is completed and occupied before or during project construction. Additionally, cumulative on-site construction noise impacts would only be significant and unavoidable if the Times Mirror Square Project occurs concurrently with Project construction."

The Higgins Building is noted as particularly affected by the noise in the Draft EIR (D VI. P. 57). The residents of the Higgins Building have been the unfortunate recipients of noise and vibration, negative environmental effects, since the commencement of construction of Metro's Regional Connector and station on the subject property in 2012. I have been advised by employees of Metro, that the station at Spring street is slated to be completed by 2022, not 2021 as indicated in the Draft EIR. This means that the Project will be completed by 2025, and if the Times Mirror Square Project construction occurs concurrent

with 222 West 2nd Street, Higgins residents will be subject to serious noise and vibration effects for another six years.

The solution to the problem raised in the Notice of Completion and Availability is obvious. The commencement of the Times Mirror Square Project should be delayed until the 222 West 2nd Street construction is completed.

Point Five

THE DRAFT EIR FAILS TO CONSIDER THE IMPACTS TO HISTORIC AND CUJLTURAL RESOURCES IN TERMS OF AESTHETIC CHARACTER, OR ANY OTHER AESTHETIC IMPACTS AS DEFINED IN THE L.A. CEQA THRESHOLDS GUIDE

The Draft EIR states that it does not have to consider impacts in terms of,,, aesthetic character,... or any other aesthetic impact, as defined in the L. A. CEQA Threshholds Guide. (D IV Ps.47 to 48). This is not accurate as this inquiry relates to aesthetic impacts on the Higgins Building, City Hall and any other historic or cultural resource in the area.

As noted, supra in Point One of these comments, In Los Angeles, pursuant to zoning commentary on the subject, ZI 2452, cited by applicant as supporting this position, (See D I-15) the City has stated: "Also note that the limitation of aesthetic impacts pursuant to sec. 21099 of the PRC does not include impacts to historic or cultural resources, impacts to historic or cultural resources will need to be evaluated pursuant to CEQA regardless of project location."

The proponent should amend the Draft EIR to include an analysis of aesthetic impacts on historic and cultural resources in the area as required by law.

POINT SIX

BY USING EXISTING PARKING IN THE NEIGHBORHOOD, THUS DIMINISHING AVAILABLE PARKING, THE APPLICANT FAILS TO COMPLY WITH THE INTENT OF THE LOS ANGELES ZONING CODE

As noted in the Draft EIR: "The existing five level parking structure (plus two subterranean levels) located on the southern portion of the project site would remain and be reconfigured to provide the required vehicular parking and long-term bicycle parking for the proposed uses." (D II-15). Thus, unlike most new

construction, the Proponent will use existing parking facilities in the area and no new and separate parking will be constructed and provided.

This property is currently used by the public; and the residents of at least three residential condominiums in the area, the Higgins Building, the Douglas Lofts and the Pan American Lofts, use this parking garage to park their cars. The existing 1460 parking spaces would be reconfigured to provide 1436 parking spaces. Under the Los Angeles Zoning Ordinance, 626 vehicular parking spaces would be assigned for use by the occupants of the new building. The construction of the Metro Station at 2nd and Broadway has already eliminated 250 spaces to build the the new Metro Station. Thus, the result of the Proponent not building any new parking spaces would be a loss of 876 parking spaces.

The loss of 876 parking spaces exacerbates an already existing dearth of available parking at this downtown location. This loss is made more poignant when one considers the demand for parking at this critical location. Competing with the local residents for parking are demands for space by citizens frequenting nearby State and Federal Courts, County Administration Buildings, City Hall, The Los Angeles Police Administration Building, Grand Central Market, Grand Park, and numerous restaurants, bars and small businesses in the area.

And, further compounding an already serious parking problem, is the fact the new building will be built on top of a new Metro Station at 2nd street for the Regional Connector, a facility where transportation planners will presumably extol the virtues of parking your car and taking the Subway.

The silver lining to this problem, proffered by the Proponent, is "surplus parking would remain available for the nearby Los Angeles Times Square buildings located on the north side of 2nd street." (D II-15). Unfortunately, this offer in the Draft EIR is bogus, as the development of the Times Mirror Square Project (Project 121) across the street calls for the demolition of this garage "to allow for the development of the Project's new mixed use component (North and South Towers). See Los Angeles Department of City Planning Notice of Completion and Availability of Draft Environmental Report for the Times Mirror Square Project. (ENV-2016-4676-EIR)

Requiring new construction in Los Angeles to provide adequate parking to meet the requirements of the new building and surrounding community, and seeking compliance by a circumstance that creates a net loss of 876 parking spaces violates the spirit and intent of the Los Angeles Zoning Ordinance. Under the unique circumstances of this Project, it is submitted that this result is illegal and cannot be permitted.

The Draft EIR should address this illegality and the Proponent should be required to mitigate the problem by providing 876 *NEW* parking spaces.

POINT SEVEN

HAS APPLICANT FAILED TO NOTIFY THE LOS ANGELES POLICE DEPARTMENT OF SHADOW INTRUSION AFFECTING ITS EMERGENCY STAGING AREA?

The section in the appendix refers to an area affected by shadows as a "Dog Park." (D IV, P. 51) This statement as to the nature of this area is erroneous. As reported in the Los Angeles Times on April 29, 2012, by reporter Aida Ahmed:

"While the grassy area along 2nd Street between Spring and Main streets has for three years been functioning as a doggy playground for nearby loft dwellers, the one-acre area is technically not a park.

" 'It's an emergency staging area for the Police Department," said LAPD Cmdr. Andy Smith....' "

According to the Draft EIR, this police emergency staging area will be affected by shadows as follows: Spring 3 to 5 P.M.; Summer 2 to 5 P.M.; Fall 3 to 5 P.M. (D IV, Ps. 56 to 57)

As these shadows will have a demonstrable impact on an important Police Facility, it is imperative for the Applicant to certify that the Los Angeles Police Department has knowledge of these circumstances and what position the L.A.P.D. takes with regard to these shadows.

CONCLUSION

It would be unreasonable, unfair or shortsighted not to recognize that an appropriate building should be built on the Metro Station site on 2nd Street. But not the unsightly behemoth with the serious environmental problems noted in these comments. Given all the circumstances, a modern building of 11 stories, such as the height and design of the new Federal Courthouse a block away at Hill and 2nd Street, would suit the needs of the residents in the community, protect historic resources, serve the architectural requirements of the Broadway Theater and Entertainment District Design Guide, and well as the investment goals of the developers.

Respectfully submitted,

Allan M. Harris

Individually and as Chair of the Higgins Loft Neighborhood Impact Committee.

Cheryl Younger

APPENDIX A

PHOTOGRAPH OF DOWNTOWN SKYLINE





Kathleen King <kathleen.king@lacity.org>

Regarding ENV-2016-3809- EIR

2 messages

joan@joanbeal.net <joan@joanbeal.net> To: kathleen.king@lacity.org Cc: Jeff Beal <jeff@jeffbeal.com> Sat, Mar 23, 2019 at 3:23 PM

Joan and Jeff Beal 108 w. 2nd Street #1013 Los Angeles, CA 90012 (818) 317-0312

Kathleen King City of Los Angeles, Dept. of City Planning 221 North Figueroa Street, suite 1350 Los Angeles, CA 90012

ENV-2016-3809-EIR 222 West 2nd Project

Dear Ms. King--

From our windows in the historic Higgins Building, we view the monument status Los Angeles Times Building, the recently constructed LA Police Station, several apartment buildings, including the historic Douglas Building, as well as our historic City Hall.

There is no structure taller than 11 stories in our neighborhood, and this has been by design— in keeping consistent with the nature of the environs. From the EIR—"The site is zoned [Q]C2-4D-CDO- SN (Commercial, Height District 4 with D limitation"—the D for development limitations was put in place for a reason.

A 30 story structure in these historic blocks is simply not viable, and this project will have further environmental impact on a neighborhood which has tolerated construction duress from the much-needed regional connector project. The impact of the Higgins Building (noise/dirt/light pollution/ vibrations/traffic) has been substantial. Local businesses and inhabitants should not be asked to tolerate another six years of disruption. "The on-site portal and station are currently under construction, and the Metro Regional Connector line is forecasted to open in 2021. Construction of the Project is anticipated to begin in 2022 and be complete by 2025." City of Los Angeles Mail - Regarding ENV-2016-3809- EIR

As District 14 Councilman Jose Huizar is currently under FBI investigation for taking large cash "gifts" from developers—including the Omni Group— my husband and I, as well as many of our neighbors, feel that this massive and out of scale project should be examined in light of these revelations. We believe this issue of graft must be included in section 8 "Areas of Controversy."

We hope that these concerns do not go unheeded.

Thank you for your consideration, Joan and Jeff Beal

Kathleen King <kathleen.king@lacity.org> To: "joan@joanbeal.net" <joan@joanbeal.net> Cc: Jeff Beal <jeff@jeffbeal.com> Mon, Mar 25, 2019 at 8:58 AM

Mrs. and Mr. Beal,

Thank you for your comment regarding the 222 W. 2nd Street Project Draft EIR. Your comment will be responded to in the Final EIR and included as part of the record.

Thank you again,



Kathleen King Department of City Planning (213) 847-3624 221 N. Figueroa Street Suite 1350 Los Angeles, CA. 90012

[Quoted text hidden]





Kathleen King Department of City Planning (213) 847-3624 221 N. Figueroa Street Suite 1350 Los Angeles, CA. 90012



Kathleen King <kathleen.king@lacity.org>

Public Comment Submission re ENV-2016-3809-EIR

1 message

Linda Cordeiro <linder.cor9@gmail.com> To: kathleen.king@lacity.org Mon, May 6, 2019 at 3:40 PM

Please see the attached letter re ENV-2016-3809-EIR, 222 West 2nd Project. Thank you.



Kathleen King City of Los Angeles, Department of City Planning 221 North Figueroa Street, Suite 1350 Los Angeles, CA 90012

E-Mail: kathleen.king@lacity.org

Re: Environmental Case No. ENV-2016-3809-EIR Project Name: 222 West 2nd Project Public Comment

May 6, 2019

It is absurd and criminally cynical to exclude historic and cultural resources from consideration of this Draft Environmental Impact Report.

Decades ago, Los Angeles made the short-sighted and egregious mistake of razing and neglecting many of its city center historic buildings, leaving downtown a desolate, deserted blight of a neighborhood. By allowing towering residential/commercial structures, such as the one described in this Draft EIR and others pending, to be built in the very heart of the Historic Core, you are echoing this misstep by failing to *thoughtfully* develop and preserve what's left.

We are not averse to development; on the contrary. We moved downtown and bought a loft in the Historic Core in order to help breathe life back into the heart of the city. Linda worked downtown in the late 90s and early 2000s and, being from the East Coast, she was surprised to see so many architectural gems neglected. Prior to that, we'd lived in Los Feliz and had no idea these buildings existed, and wondered why they hadn't been preserved and were empty. When we saw the opportunity to move to the city center, specifically the Historic Core, we wanted to be a part of its revival.

Unfortunately, it seems people who had the vision and guts to move and restore downtown in the last two decades, who saw its potential and brought back downtown's economic vibrancy, are now being overrun and overruled by the interests of outside developers and policymakers who seem to give little thought to the impact these buildings will have on the immediate community.

The beautiful and iconic City Hall and the Art Deco headquarters of the Los Angeles Times, the design of which won a gold medal at the 1937 Paris Exposition, were among the main reasons we moved to the Core. Those, as well as the historic buildings in the vicinity, would be dwarfed by surrounding high-rises. Why on earth would anyone approve structures that would tower over and diminish the impact of City Hall and the architectural deco gem that is the original LA Times? Why on earth move into the direction of throwing the open space and its environs into darkness by creating walled-in streets and city canyons? Even Grand Park was designed in a

way that acknowledges City Hall as the geographical heartbeat of the city and its place in the hearts and minds of Los Angelinos.

As noted by Colin Marshall in *Los Angeles in Buildings: City Hall* on October 18, 2017, "What City Hall may lack in iconic recognizability it makes up for with an almost subconscious symbolic power. Though few Angelinos could draw the building from memory, they have seen it over and over again, and so, at this point, has much of the rest of the world.... Grand Park draws tens of thousands (many of whom take the city's expanding subway system there) every December 31 to watch the Lindbergh Beacon sits reinstalled and ready for illumination, along with the customizable colored lighting lining the building below, on important occasions: not just New Year's Eve, but Lakers and Dodgers victories, shows of solidarity with disaster-inflicted foreign countries...."

What logic lies in building towering CONDO UNITS that would dwarf that?

There is no reason we cannot have lower-rise buildings that would complement, rather than overpower the views of City Hall, the Los Angeles Times, or the closely surrounding historic buildings, as well as the neighborhoods on the South side of City Hall, such as Olvera Street and its rich historic architecture.

Again, it's not that we don't want new businesses to open, or new buildings to go up. Quite the opposite. We're invested in our city. We just don't want development that isn't meaningful to us, or fails to take into account the unique soul of the Historic Core. It is crucial that we preserve our community amidst that development. Development should be done intentionally and thoughtfully and in a way that includes, rather than excludes, the community.

Nor are we opposed to skyscrapers; LA's high-rise landscape is cultural and geographic touchstone. But there are plenty of places in downtown Los Angeles that would aesthetically support high-rises. The Historic Core is not one of them.

Growth isn't just about new modern, outsized condos. It's not just throwing up tall glass buildings because you can, or to make outside developers, contractors and construction workers, who do not live in the city, happy. None of them will have to deal with the long-term results of this terrible decision.

Growth means preservation and it means also building something that complements, rather than detracts, from a neighborhood. DTLA neighborhoods all have a distinct identity. This is even truer of the Historic Core. By simply constructing high-rise condos that resemble those in South Park or Whole Foods adjacent, the Historic Core will have lost its own essence.

Sincerely,

Linda Cordeiro and Albert Grossman Pan American Lofts 253 South Broadway Los Angeles, 90012